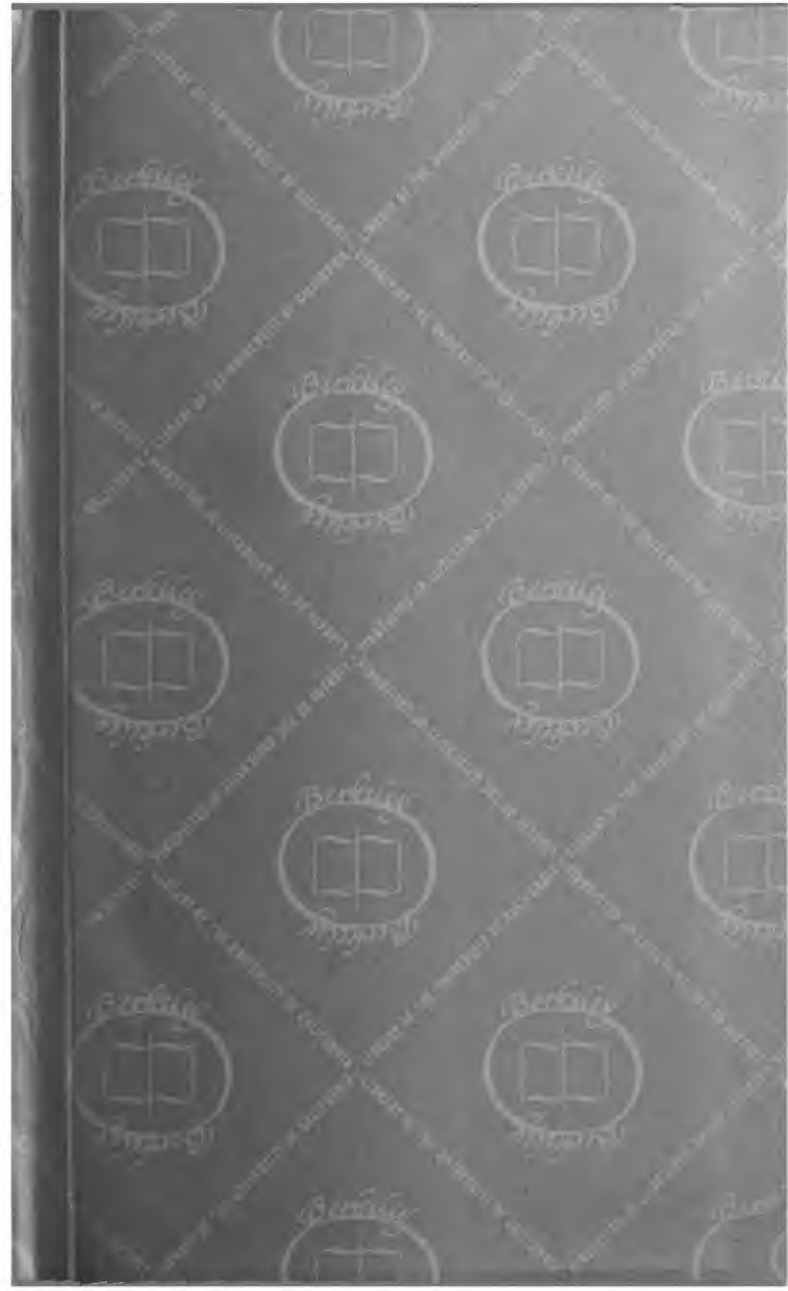


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REPORTS OF COMMITTEES

OF THE

HOUSE OF REPRESENTATIVES,

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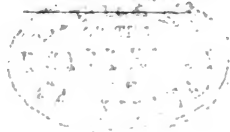
DURING THE FIRST SESSION

OF

THE THIRTY-FOURTH CONGRESS,

1855-'56.

IN THREE VOLUMES.



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KANSAS AFFAIRS.

JULY 2, 1856.—“*Ordered*, That it be referred to the Committee of Elections, and printed : and that leave be given to the minority of said committee to submit a report at any time within ten days, and to take additional testimony; and when submitted, that the same be referred to the Committee of Elections, and printed.”

Mr. HOWARD, from the Select Committee, made the following

REPORT.

[Mr. MORDECAI OLIVER submitted the views of the minority, herewith printed.]

The Special Committee appointed to investigate the troubles in the Territory of Kansas, having performed the duties required by the House, beg leave to submit the following report:

A journal of proceedings, including sundry communications made to and by the committee, was kept; a copy of which is herewith submitted.

A copy of the testimony has been made and arranged; not according to the order in which it was taken, but so as to present as clearly as possible a consecutive history of events in the Territory from its organization to the 19th day of March, A. D. 1856.

This copy and the original, with copies of the census rolls and the poll-books of all the elections, are herewith submitted.

Your committee deem it their duty to state, as briefly as possible, the principal facts proven before them. When the act to organize the Territory of Kansas was passed on the 30th of May, 1854, the greater portion of its eastern border was included in Indian reservations not open for settlements, and there were but few white settlers in any portion of the Territory. Its Indian population was rapidly decreasing, while many emigrants from different parts of our country were anxiously waiting the extinction of the Indian title, and the establishment of a Territorial government, to seek new homes on its fertile prairies. It cannot be doubted that if its condition as a free Territory had been left undisturbed by Congress, its settlement would have been rapid, peaceful, and prosperous. Its climate, its soil, and its easy access to the older settlements, would have made it the favored course for the tide of emigration constantly flowing to the West, and by this time it would have been admitted into the Union as a free State, without the least sectional excitement. If so organized, none but the kindest feelings could have existed between its citizens and those of the adjoining State. Their mutual interests and

intercourse, instead of, as now, endangering the harmony of the Union, would have strengthened the ties of national brotherhood. The testimony clearly shows that before the proposition to repeal the Missouri compromise was introduced into Congress, the people of western Missouri appeared indifferent to the prohibition of slavery in the Territory, and neither asked nor desired its repeal.

When, however, the prohibition was removed by the action of Congress, the aspect of affairs entirely changed. The whole country was agitated by the reopening of a controversy which conservative men in different sections believed had been settled in every State and Territory by some law beyond the danger of repeal. The excitement which has always accompanied the discussion of the slavery question was greatly increased by the hope, on the one hand, of extending slavery into a region from which it had been excluded by law; and, on the other, by a sense of wrong done by what was regarded as a dishonor of a national compact. This excitement was naturally transferred into the border counties of Missouri and the Territory, as settlers favoring free or slave institutions moved into it. A new difficulty soon occurred. Different constructions were put upon the organic law. It was contended by the one party that the right to hold slaves in the Territory existed, and that neither the people nor the Territorial legislature could prohibit slavery; that that power was alone possessed by the people when they were authorized to form a State government. It was contended that the removal of the restriction virtually established slavery in the Territory. This claim was urged by many prominent men in western Missouri, who actively engaged in the affairs of the Territory. Every movement, of whatever character, which tended to establish free institutions, was regarded as an interference with their rights.

Within a few days after the organic law passed, and as soon as its passage could be known on the border, leading citizens of Missouri crossed into the Territory, held squatter meetings, and then returned to their homes. Among their resolutions are the following:

"That we will afford protection to no abolitionist as a settler of this Territory."

"That we recognise the institution of slavery as already existing in this Territory, and advise slaveholders to introduce their property as early as possible."

Similar resolutions were passed in various parts of the Territory, and by meetings in several counties of Missouri. Thus the first effect of the repeal of the restriction against slavery was to substitute the resolves of squatter meetings, composed almost exclusively of citizens of a single State, for the deliberate action of Congress acquiesced in for thirty-five years.

This unlawful interference has been continued in every important event in the history of the Territory; every election has been controlled, not by the actual settlers, but by citizens of Missouri; and, as a consequence, every officer in the Territory, from constable to legislators, except those appointed by the President, owe their positions to non-resident voters. None have been elected by the settlers; and your committee have been unable to find that any political power what-

ever, however unimportant, has been exercised by the people of the Territory.

In October, A. D. 1854, Gov. A. H. Reeder, and the other officers appointed by the President, arrived in the Territory. Settlers from all parts of the country were moving in in great numbers, making their claims and building their cabins. About the same time, and before any election was or could be held in the Territory, a secret political society was formed in the State of Missouri.⁽¹⁾ It was known by different names, such as "Social Band," "Friends' Society," "Blue Lodge," "The Sons of the South." Its members were bound together by secret oaths, and they had pass-words, signs, and grips, by which they were known to each other; penalties were imposed for violating the rules and secrets of the order; written minutes were kept of the proceedings of the lodges; and the different lodges were connected together by an effective organization. It embraced great numbers of the citizens of Missouri, and was extended into other slave States and into the Territory. Its avowed purpose was not only to extend slavery into Kansas, but also into other territories of the United States, and to form a union of all the friends of that institution. Its plan of operating was to organize and send men to vote at the elections in the Territory, to collect money to pay their expenses, and, if necessary, to protect them in voting. It also proposed to induce pro-slavery men to emigrate into the Territory, to aid and sustain them while there, and to elect none to office but those friendly to their views. This dangerous society was controlled by men who avowed their purpose to extend slavery into the Territory at all hazards, and was altogether the most effective instrument in organizing the subsequent armed invasions and forays. In its lodges in Missouri the affairs of Kansas were discussed. The force necessary to control the election was divided into bands and leaders selected. Means were collected, and signs and badges were agreed upon. While the great body of the actual settlers of the Territory were relying upon the rights secured to them by the organic law, and had formed no organization or combination whatever, even of a party character, this conspiracy against their rights was gathering strength in a neighboring State, and would have been sufficient at their first election to have overpowered them, even if they had been united to a man.

Your committee had great difficulty in eliciting the proof of the details in regard to this secret society. One witness, a member of the legislative council, refused to answer questions in reference to it.⁽²⁾ Another declined to answer fully, because to do so would result to his injury.⁽³⁾ Others could or would only answer as to the general purposes of the society; but sufficient is disclosed in the testimony to show the influence it had in controlling the elections in the Territory.

The first election was for a delegate to Congress. It was appointed for the 29th of November, 1854. The governor divided the Territory into seventeen election districts, appointed judges, and prescribed proper rules for the election. In the first, third, eighth, ninth, tenth,

(1) Jourdan Davidson, J. C. Prince, John Scott, J. H. Stringfellow.

(2) W. F. Richardson.

(3) J. C. Prince.

twelfth, thirteenth, and seventeenth districts there appears to have been but little if any fraudulent voting.

The election in the 2d district was held at the village of Douglas, near fifty miles from the Missouri line. On the day before the election large companies of men came into the district in wagons and on horseback, and declared that they were from the State of Missouri, and were going to Douglas to vote. On the morning of the election they gathered around the house where the election was to be held. Two of the judges appointed by the governor did not appear, and other judges were selected by the crowd; all then voted. In order to make a pretence of right to vote, some persons of the company kept a pretended register of squatter claims, on which any one could enter his name, and then assert he had a claim in the Territory. A citizen of the district, who was himself a candidate for delegate to Congress, was told by one of the strangers that he would be abused, and probably killed, if he challenged a vote.(4) He was seized by the collar, called a damned abolitionist, and was compelled to seek protection in the room with the judges. About the time the polls were closed these strangers mounted their horses and got into their wagons and cried out, "All aboard for Westport and Kansas City." A number were recognised as residents of Missouri, and among them was Samuel H. Woodson, a leading lawyer of Independence. Of those whose names are on the poll-books, 35 were resident settlers and 226 were non-residents.

The election in the fourth district was held at Dr. Chapman's, over forty miles from the Missouri State line. It was a thinly settled region, containing but forty-seven voters in February, 1855, when the census was taken. On the day before the election, from one hundred to one hundred and fifty citizens of Cass and Jackson counties, Missouri, came into this district, declaring their purpose to vote, and that they were bound to make Kansas a slave State, if they did it at the point of the sword.(5) Persons of the party on the way drove each a stake in the ground, and called it a claim; and in one case several names were put on one stake. The party of strangers camped all night-near where the election was to be held, and in the morning were at the election polls and voted. One of their party got drunk, and to get rid of Dr. Chapman, a judge of the election, they sent for him to come and see a sick man, and, in his absence, filled his place with another judge, who was not sworn. They did not deny or conceal that they were residents of Missouri, and many of them were recognised as such by others. They declared that they were bound to make Kansas a slave State. They insisted upon their right to vote in the Territory if they were in it one hour. After the election they again returned to their homes in Missouri, camping over night on the way.

We find upon the poll-books 161 names; of these not over 30 resided in the Territory, and 131 were non-residents.(6)

But few settlers attended the election in the fifth district, the district

(4) John A. Wakefield.

(5) Peter Basinger.

(6) Thomas Hopkins, Reuben Hackett, Perry Fuller, John F. Lucas.

being large and the settlements scattered. Eighty-two votes were cast; of these between 20 and 30 were settlers,(7) and the residue were citizens of Missouri. They passed into the Territory by way of the Santa Fe road, and by the residence of Dr. Westfall, who then lived on the western line of Missouri.(8) Some little excitement arose at the polls as to the legality of their voting; but they did vote for Gen. Whitfield, and said they intended to make Kansas a slave State, and that they had claims in the Territory. Judge Teagle, judge of the court in Jackson county, Missouri, was present, but did not vote.(9) He said he did not intend voting, but came to see that others voted. After the election, the Missourians returned the way they came.

The election in the sixth district was held at Fort Scott, in the south-east part of the Territory, and near the Missouri line. A party of about one hundred men from Cass county, and the counties in Missouri south of it, went into the Territory, travelling about 45 miles, most of them with their wagons and tents, and camping out. They appeared at the place of election. Some attempts were made to swear them, but two of the judges were prevailed upon not to do so, and none were sworn, and as many as chose voted. There were but few resident voters at the polls. The settlement was sparse; about 25 actual settlers voted out of 105 votes cast, leaving 80 illegal votes.(10) After the voting was over, the Missourians went to their wagons and commenced leaving for home.

The most shameless fraud practised upon the rights of the settlers at this election was in the seventh district. It is a remote settlement, about seventy-five miles from the Missouri line, and contained, in February, A. D. 1855, three months afterwards, when the census was taken, but 53 voters; and yet the poll-books show that 604 votes were cast. The election was held at the house of Frey McGee, at a place called "110." But few of the actual settlers were present at the polls.(11) A witness, who formerly resided in Jackson county, Missouri, and was well acquainted with the citizens of that county, (12) says that he saw a great many wagons and tents at the place of election, and many individuals he knew from Jackson county. He was in their tents, and conversed with some of them, and they told him they had come with the intention of voting. He went to the polls, intending to vote for Flennigan; but his ticket being of a different color from the rest, his vote was challenged by Frey McGee, who had been appointed one of the judges, but did not serve. Lemuel Ralston, a citizen of Missouri, was acting in his place. The witness then challenged the vote of a young man by the name of Nolan, whom he knew to reside in Jackson county. Finally, the thing was hushed up, as the witness had a good many friends there from that county, and it might have led to a fight if he challenged any more votes. Both voted; and he then went down to their camp. He there saw many of

(7) James W. Wilson.

(8) Dr. B. C. Westfall.

(9) J. W. Wilson.

(11) J. C. Prince.

(11) Matthias A. Reed.

(12) William F. Johnstone.

his old acquaintances, who he knew had voted at the election in August previous in Missouri, and who still resided in that State. By a careful comparison of the poll-lists with the census-rolls, we find but 12 names on the poll-book who were voters when the census was taken, three months afterwards; and your committee are satisfied that not more than 20 legal votes could have been polled at that election. The only residents who are known to have voted are named by the witness, and are 13 in number; thus leaving 584 illegal votes cast in a remote district, when the settlers within many miles were acquainted with each other.

The total number of white inhabitants in the 11th district in the month of February, A. D. 1855, including men, women, and children, was 36, of whom 24 are voters. Yet the poll-lists in this district show that 245 votes were cast at this election. For reasons stated hereafter, in regard to the election on the 30th of March, your committee were unable to procure the attendance of witnesses from this district. From the records, it clearly appears that the votes cast could not have been given by lawful resident voters. The best test, in the absence of direct proof, by which to ascertain the number of legal votes cast, is by a comparison of the census-roll with the poll-books, by which it appears that but 7 resident settlers voted; and 238 votes were illegally and fraudulently given.

The election in the 14th district was held at the house of Benjamin Harding, a few miles from the town of St. Joseph's, Missouri. Before the polls were opened, a large number of citizens of Buchanan county, Missouri, and among them many of the leading citizens of St. Joseph's, were at the place of voting, and made a majority of the company present. At the time appointed by the governor for opening the polls, two of the judges were not there, and it became the duty of the legal voters present to select other judges. The judge who was present (13) suggested the name of Mr. Waterson as one of the judges; but the crowd voted down the proposition. Some discussion then arose as to the right of non-residents to vote for judges, during which Mr. Bryant was nominated and elected by the crowd. Some one nominated Col. John Scott as the other judge, who was then, and is now, a resident of St. Joseph's, Missouri. At that time he was the city attorney of that place, and so continued until this spring; but he claimed that the night before he had come to the house of Mr. Bryant, and had engaged boarding for a month, and considered himself a resident of Kansas on that ground.

The judge appointed by the governor refused to put the nomination of Col. Scott to the vote, because he was not a resident. After some discussion, Judge Leonard, a citizen of Missouri, stepped forward and put the vote himself; and Mr. Scott was declared by him as elected by the crowd, and served as a judge of the election that day. After the election was over he returned to St. Joseph's, and never since has resided in the Territory. It is manifest that this election of a non-resident lawyer as a judge was imposed upon the settlers by the citizens of Missouri. When the board of judges was thus completed, the

(13) Benjamin Harding.

voting proceeded; but the effect of the rule adopted by the judges allowed many, if not a majority, of the non-residents to vote. They claimed that their presence on the ground, especially when they had a *claim* in the Territory, gave them a right to vote; and under that construction of the law they readily, when required, swore they were "residents," and then voted. By this evasion, as near as your committee can ascertain from the testimony, as many as 50 illegal votes were cast in this district out of 153, the whole number polled.

The election in the 15th district was held at Penseneau's, on Stranger creek, a few miles from Weston, Missouri. On the day of the election a large number of citizens of Platte county, but chiefly from Weston and Platte City, Missouri, came in small parties, in wagons and on horseback, to the polls. Among them were several leading citizens of that town; and the names of many of them are given by the witnesses.(14) They generally insisted upon their right to vote, on the ground that every man having a claim in the Territory could vote, no matter where he lived.(15) All voted who chose. No man was challenged or sworn. Some of the residents did not vote. The purpose of the strangers in voting was declared to be to make Kansas a slave State.(16) Your committee find, by the poll-books, that 306 votes were cast; of these we find but 57 are on the census-rolls as legal voters in February following. Your committee are satisfied, from the testimony, that not over 100 of those who voted had any right so to do, leaving at least 206 illegal votes cast.

The election in the 16th district was held at Leavenworth. It was then a small village of three or four houses, located on the Delaware reservation.(17) There were but comparatively few settlers then in the district, but the number rapidly increased afterwards. On the day before, and on the day of the election, a great many citizens of Platte, Clay, and Ray counties, Missouri, crossed the river, most of them camping in tents and wagons about the town, "like a camp-meeting." (18) They were in companies or messes of 10 to 15 in each, and numbered in all several hundred. They brought their own provision, and cooked it themselves, and were generally armed. Many of them were known by the witnesses, and their names are given, which are found upon the poll-books. Among them were several persons of influence where they resided in Missouri, and held, or had held, high official position in that State. They claimed to be residents of the Territory from the fact that they were there present, and insisted upon the right to vote, and did vote. Their avowed purpose in doing so was to make Kansas a slave State. These strangers crowded around the polls, and it was with great difficulty that the settlers could get to the polls.(19) One resident attempted to get to the polls in the afternoon, but was crowded and pulled back. He then went outside of the crowd, and hurrahd for Gen. Whitfield; and some of those

(14) J. B. Crane, Francis M. Patton, John W. House, Phineas Skinner, H. B. Gale.

(15) J. B. Crane.

(16) H. B. Gale.

(17) George H. Keller and John A. Landis.

(18) George H. Keller.

(19) John A. Landis, L. J. Eastin.

who did not know him said, "There's a good pro-slavery man," and lifted him up over their heads, so that he crawled on their heads and put in his vote. A person who saw, from the color of his ticket, that it was not for Gen. Whitfield, cried out, "He is a damned abolitionist—let him down;" and they dropped him.(20) Others were passed to the polls in the same way, and others crowded up in the best way they could. After this mockery of an election was over the non-residents returned to their homes in Missouri. Of the 312 votes cast, not over 150 were by legal voters.

The following abstract exhibits the whole number of votes at this election for each candidate, the number of legal and illegal votes cast in each district, and the number of legal voters in each district in February following.

Abstract of census and election of November 29, 1854.

Districts.	Place of voting.	Whitfield.	Wakefield.	Flemmken.	Scattering.	Total.	No. of voters by census.	Legal votes.	Illegal votes.
First.....	Lawrence.....	46	188	51	15	300	369	300	.....
Second.....	Douglas.....	235	29	6	.....	261	199	35	226
Third.....	Stinson's.....	40	.....	7	.....	47	101	47	.....
Fourth.....	Dr. Chapman's.....	140	21	21	.....	161	47	30	131
Fifth.....	H. Sherman's.....	63	4	15	.....	82	492	30	52
Sixth.....	Fort Scott.....	105	.....	.....	.....	105	253	25	80
Seventh.....	"110".....	597	.....	7	.....	604	53	29	584
Eighth.....	Council Grove.....	16	.....	.....	.....	16	39	16	.....
Ninth.....	Reynolds'.....	9	.....	31	.....	40	26	40	.....
Tenth.....	Big Blue Cross.....	2	6	29	.....	37	63	37	.....
Eleventh.....	Marysville.....	237	.....	3	5	245	24	7	238
Twelfth.....	Warion's store.....	31	9	.....	1	41	78	41	.....
Thirteenth.....	Osawkie.....	69	1	1	.....	71	96	71	.....
Fourteenth.....	Harding's.....	130	.....	23	.....	153	334	103	50
Fifteenth.....	Penseno.....	267	.....	59	.....	326	388	190	206
Sixteenth.....	Leavenworth.....	232	.....	80	.....	312	385	150	162
Seventeenth.....	Shawnee Agency.....	49	.....	13	.....	62	50	62	.....
Eighteenth.....	.....	.....	.....	.....	.....	.....	98	.....	.....
Total.....	.....	2,258	248	305	22	2,833	2,905	1,114	1,729

Thus your committee find that in this, the first election in the Territory, a very large majority of the votes were cast by citizens of the State of Missouri, in violation of the organic law of the Territory. Of the legal votes cast, General Whitfield received a plurality. The settlers took but little interest in the election, not one-half of them voting. This may be accounted for from the fact that the settlements were scattered over a great extent, that the term of the delegate to be elected was short, and that the question of free or slave institutions was not generally regarded by them as distinctly at issue. Under these circumstances, a systematic invasion from an adjoining State, by which large numbers of illegal votes were cast in remote and sparse settlements, for the avowed purpose of extending slavery into the Territory, even though it did not change the result of the election,

was a crime of great magnitude. Its immediate effect was to further excite the people of the northern States, and exasperate the actual settlers against their neighbors in Missouri.

In January and February, A. D. 1855, the governor caused an enumeration to be taken of the inhabitants and qualified voters in the Territory, an abstract of which is here given.

By whom taken.	Districts.	Males.	Females.	Voters.	Minors.	Natives U. S.	Foreign birth.	Negroes.	Slaves.	Total.
C. W. Babcock.....	1st district.....	692	339	369	459	897	75	.....	.....	969
O. H. Brown.....	2d.....do.....	316	963	199	327	506	19	1	7	519
T. W. Hayes.....	3d.....do.....	161	91	101	112	215	12	.....	6	329
O. B. Donaldson.....	4th.....do.....	108	71	47	97	169	3	1	1	177
Wm. Barbee.....	5th.....do.....	894	563	449	794	1,385	92	97	36	1,407
Do.....	6th.....do.....	692	316	353	418	791	12	11	17	810
J. B. McFar.....	7th.....do.....	93	36	53	59	117	1	1	1	116
Do.....	8th.....do.....	56	97	39	98	76	7	13	10	83
M. P. Conway.....	9th.....do.....	61	35	36	31	66	19	14	3	96
Do.....	10th.....do.....	97	54	63	61	108	32	.....	.....	133
B. H. Twombly.....	11th.....do.....	33	3	94	5	30	6	.....	.....	36
Do.....	12th.....do.....	104	40	78	35	199	37	1	7	244
H. B. Jolly.....	13th.....do.....	166	116	86	145	373	9	14	14	384
Albert Weed.....	14th.....do.....	655	518	334	.....	361	46	1	35	1,167
H. B. Jolly.....	15th.....do.....	692	361	306	488	946	16	13	13	1,173
Chas. Leitch.....	16th.....do.....	706	475	265	514	1,042	104	46	23	1,183
Alex. C. Johnson.....	17th.....do.....	91	59	50	54	143	5	4	33	150
B. H. Twombly.....	18th.....do.....	59	40	36	51	97	1	.....	.....	99
Total.....	.....	5,198	3,383	2,905	3,469	7,161	408	131	192	8,601

ELECTION OF MARCH 30, 1855.

On the same day that the census was completed, the governor issued his proclamation for an election to be held on the 30th of March, A. D. 1855, for members of the legislative assembly of the Territory. It prescribed the boundaries of districts, the places for polls, the names of judges, the apportionment of members, and recited the qualification of voters. If it had been observed, a just and fair election would have reflected the will of the people of the Territory. Before the election, false and inflammatory rumors were busily circulated among the people of western Missouri. The number and character of the emigration then passing into the Territory were grossly exaggerated and misrepresented. Through the active exertions of many of its leading citizens, aided by the secret society before referred to, the passions and prejudices of the people of that State were greatly excited. Several residents there have testified to the character of the reports circulated among and credited by the people. These efforts were successful. By an organized movement, which extended from Andrew county in the north, to Jasper county in the south, and as far eastward as Boone and Cole counties, Missouri, companies of men were arranged in irregular parties and sent into every council district in the Territory, and into every representative district but one. The numbers were so distributed as to control the election in each district. They went to vote, and with the avowed design to make Kansas a slave State. They were generally armed and equipped, carried with them their

own provisions and tents, and so marched into the Territory. The details of this invasion form the mass of the testimony taken by your committee, and is so voluminous that we can here state but the leading facts elicited.

FIRST DISTRICT.—*Lawrence.*

The company of persons who marched into this district was collected in Ray, Howard, Carroll, Boone, Lafayette, Randolph, Macon, Clay, Jackson, Saline, and Cass counties, in the State of Missouri. Their expenses were paid; those who could not come, contributing provisions, wagons, &c.(1) Provisions were deposited for those who were expected to come to Lawrence, in the house of William Lykins, and were distributed among the Missourians after they arrived there.(2) The evening before, and the morning of the day of election, about 1,000 men from the above counties arrived at Lawrence, and camped in a ravine a short distance from town, near the place of voting. They came in wagons (of which there were over 100) and on horseback, under the command of Col. Samuel Young, of Boone county, Missouri, and Claiborne F. Jackson, of Missouri. They were armed with guns, rifles, pistols, and bowie-knives; and had tents, music, and flags with them.(3) They brought with them two pieces of artillery,(4) loaded with musket-balls.(5) On their way to Lawrence some of them met Mr. N. B. Blanton, who had been appointed one of the judges of election by Gov. Reeder, and, after learning from him that he considered it his duty to demand an oath from them as to their place of residence, first attempted to bribe him, and then threatened him with hanging, in order to induce him to dispense with that oath. In consequence of these threats he did not appear at the polls the next morning to act as judge.(6)

The evening before the election, while in camp, the Missourians were called together at the tent of Captain Claiborne F. Jackson, and speeches were made to them by Col. Young and others, calling for volunteers to go to other districts where there were not Missourians enough to control the election, as there were more at Lawrence than were needed there.(7) Many volunteered to go, and on the morning of the election several companies, from 150 to 200 each, went off to Tecumseh, Hickory Point, Bloomington, and other places.(8) On the morning of the election the Missourians came over to the place of voting from their camp, in bodies of 100 at a time.(9) Mr. Blanton

(1) F. P. Vaughan, Jourdan Davidson.

(2) Wm. Yates, C. W. Babcock, Dr. John Day.

(3) E. D. Ladd, Norman Allen, William Yates, Wm. B. Hornsby, G. W. Beltzler, C. W. Babcock, Lyman Allen, S. N. Wood, E. Chapman, Robert Elliot, N. B. Blanton, Jourdan Davidson, Wm. Lyon, J. B. Abbot, J. W. Ackley, Dr. John Day, A. B. Wade, John M. Banks, H. W. Buckley.

(4) E. Chapman, Jourdan Davidson.

(5) E. Chapman.

(6) N. B. Blanton.

(7) Norman Allen, J. Davidson.

(8) N. Allen, Wm. Gates, W. B. Hornsby, C. W. Babcock, S. N. Wood, J. Davidson, A. B. Wade.

(9) E. D. Ladd.

not appearing, another judge was appointed in his place; Col. Young claiming that, as the people of the Territory had two judges, it was nothing more than right that the Missourians should have the other one to look after their interests;(10) and Robert A. Cummins was elected in Blanton's stead, because he considered that every man had a right to vote if he had been in the Territory but an hour.(11)

The Missourians brought their tickets with them;(12) but not having enough, they had 300 more printed in Lawrence on the evening before and on the day of election.(13) They had white ribbons in their button-holes to distinguish themselves from the settlers.

When the voting commenced, the question of the legality of the vote of a Mr. Page was raised. Before it was decided, Col. Samuel Young stepped up to the window where the votes were received, and said he would settle the matter. The vote of Mr. Page was withdrawn, and Col. Young offered to vote. He refused to take the oath prescribed by the governor, but swore he was a resident of the Territory; upon which his vote was received.(15) He told Mr. Abbot, one of the judges, when asked if he intended to make Kansas his future home, that it was none of his business; that if he were a resident then, he should ask no more.(16) After his vote was received, Col. Young got up on the window-sill, and announced to the crowd that he had been permitted to vote, and they could all come up and vote.(17) He told the judges that there was no use in swearing the others, as they would all swear as he had done.(18) After the other judges had concluded to receive Col. Young's vote, Mr. Abbot resigned as judge of election, and Mr. Benjamin was elected in his place.(19)

The polls were so much crowded until late in the evening, that for a time when the men had voted they were obliged to get out by being hoisted up on the roof of the building where the election was being held, and pass out over the house.(20) Afterwards, a passage-way through the crowd was made by two lines of men being formed, through which the voters could get up to the polls.(21) Col. Young asked that the old men be allowed to go up first and vote, as they were tired with the travelling, and wanted to get back to camp.(22)

The Missourians sometimes came up to the polls in procession, two by two, and voted.(23)

During the day the Missourians drove off the ground some of the

(10) S. N. Wood.

(11) R. A. Cummins, Norman Allen, S. N. Wood, C. S. Pratt, J. B. Abbot.

(12) C. W. Babcock, Robert Elliot.

(13) Robert Elliot.

(14) G. W. Deitzler.

(15) E. D. Ladd, Norman Allen, S. W. Ward, C. S. Pratt, J. B. Abbot.

(16) Norman Allen, J. B. Abbot.

(17) E. D. Ladd, Norman Allen, S. N. Wood, C. S. Pratt, J. B. Abbot.

(18) C. W. Babcock, J. B. Abbot.

(19) C. W. Babcock, S. N. Wood, C. S. Pratt, J. B. Abbot.

(20) E. D. Ladd, Norman Allen, C. W. Babcock, Lyman Allen, J. M. Banks.

(21) E. D. Ladd, Norman Allen, Lyman Allen.

(22) Lyman Allen, E. D. Ladd.

(23) E. D. Ladd, Ira W. Ackley.

citizens—Mr. Stearns, Mr. Bond, and Mr. Willis.(24) They threatened to shoot Mr. Bond, and a crowd rushed after him, threatening him ; and, as he ran from them, some shots were fired at him as he jumped off the bank of the river and made his escape.(25) The citizens of the town went over in a body late in the afternoon, when the polls had become comparatively clear, and voted.(26)

Before the voting had commenced, the Missourians said if the judges appointed by the governor did not receive their votes they would choose other judges.(27) Some of them voted several times, changing their hats or coats and coming up to the window again.(28) They said they intended to vote first, and after they had got through the others could vote.(29) Some of them claimed a right to vote under the organic act, from the fact that their mere presence in the Territory constituted them residents, though they were from Missouri, and had homes in Missouri.(30) Others said they had a right to vote because Kansas belonged to Missouri, and people from the East had no right to settle in the Territory and vote there.(31)

They said they came to the Territory to elect a legislature to suit themselves, as the people of the Territory and persons from the East and the North wanted to elect a legislature that would not suit them.(32) They said they had a right to make Kansas a slave State, because the people of the North had sent persons out to make it a free State.(33) Some claimed that they had heard that the Emigrant Aid Society had sent men out to be at the election, and they came to offset their votes ; but the most of them made no such claim. Col. Young said he wanted the citizens to vote, in order to give the election some show of fairness.(34)

The Missourians said there would be no difficulty if the citizens did not interfere with their voting ; but they were determined to vote peaceably, if they could, but vote any how.(35) They said each one of them was prepared for eight rounds without loading, and would go to the ninth round with the butcher-knife.(36) Some of them said that by voting in the Territory they would deprive themselves of the right to vote in Missouri for twelve months afterwards.(37)

The Missourians began to leave the afternoon of the day of election, though some did not go home until the next morning.(38) In many

(24) E. D. Ladd, C. W. Babcock, Lyman Allen, S. N. Wood, N. B. Blanton, John Doy, J. Davidson, Charles Robinson.

(25) E. D. Ladd, C. W. Babcock, Lyman Allen, S. N. Wood, N. B. Blanton, J. Davidson, Dr. John Doy.

(26) E. D. Ladd, C. Robinson, A. B. Wade, J. Whitlock, J. M. Banks, H. W. Buckley.

(27) G. W. Deitzler.

(28) S. N. Wood, Ira W. Ackley.

(29) J. Davidson.

(30) E. D. Ladd, Norman Allen, Lyman Allen.

(31) W. B. Hornsby, C. W. Babcock, C. Robinson.

(32) William Yates, Thomas Hopkins, Ira W. Ackley.

(33) Lyman Allen, J. Davidson.

(34) Norman Allen.

(35) Norman Allen, Lyman Allen, C. W. Babcock, S. N. Wood, E. Chapman, Thomas Hopkins.

(36) Jourdan Davidson.

(37) J. B. Abbot.

(38) E. D. Ladd, Norman Allen, William Yates, W. B. Hornsby, G. W. Deitzler, C. W. Babcock, C. Robinson, E. Chapman, Lyman Allen, Jourdan Davidson.

cases, when a wagon-load voted they immediately started for home.(39) On their way home they said that if Governor Reeder did not sanction the election they would hang him.(40)

The citizens of the town of Lawrence, as a general thing, were not armed on the day of election, though some had revolvers, but not exposed as were the arms of the Missourians.(41) They kept a guard about the town the night after the election, in consequence of the threats of the Missourians, in order to protect it.(42)

The pro-slavery men of the district attended the nominating conventions of the free-State men, and voted for, and secured the nominations of, the men they considered the most obnoxious to the free-State party, in order to cause dissension in that party.(43)

Quite a number of settlers came into the district before the day of election, and after the census was taken.(44) According to the census returns, there were then in the district 369 legal voters. Of those whose names are on the census returns, 177 are to be found on the poll-books of the 30th of March, 1855. Messrs. Ladd, Babcock, and Pratt testify to fifty-five names on the poll-books of persons they knew to have settled in the district after the census was taken, and before the election. A number of persons came into the Territory in March before the election, from the northern and eastern States, intending to settle, who were in Lawrence on the day of election. At that time many of them had selected no claims, and had no fixed place of residence. Such were not entitled to vote. Many of them became dissatisfied with the country. Others were disappointed at its political condition, and in the price and demand for labor, and returned. Whether any such voted at the election, is not clearly shown: but from the proof, it is probable that in the latter part of the day, after the great body of Missourians had voted, some did go to the polls. The number was not over fifty. These voted the free-State ticket. The whole number of names appearing upon the poll-lists is 1,034. After full examination, we are satisfied that not over 232 of these were legal voters, and 802 were non-residents and illegal voters. This district is strongly in favor of making Kansas a free State, and there is no doubt that the free-State candidates for the legislature would have been elected by large majorities if none but the actual settlers had voted. At the preceding election, in November, 1854, where none but legal votes were polled, General Whitfield, who received the full strength of the pro-slavery party,(45) got but forty-six votes.

SECOND DISTRICT.—*Bloomington.*

On the morning of election the judges appointed by the governor appeared and opened the polls. Their names were Harrison Burson,

(39) S. N. Wood.

(40) Ganis Jenkins.

(41) E. D. Ladd.

(42) E. D. Ladd.

(43) A. B. Wade.

(44) E. D. Ladd, Norman Allen, C. W. Babcock, Charles Robinson, Lyman Allen, J. M. Brooks.

(45) James Whitlock.

Nathaniel Ramsay, and Mr. Ellison. The Missourians began to come in early in the morning, some 500 or 600 of them in wagons and carriages, and on horseback, under the lead of Samuel J. Jones, then postmaster of Westport, Missouri; Claiborne F. Jackson and Mr. Steeley, of Independence, Missouri. They were armed with double-barreled guns, rifles, bowie-knives, and pistols, and had flags hoisted.(1) They held a sort of an informal election off at one side, at first for governor of Kansas Territory, and shortly afterwards announced Thomas Johnson, of Shawnee Mission, elected governor.(2) The polls had been opened but a short time, when Mr. Jones marched with the crowd up to the window and demanded that they should be allowed to vote, without swearing as to their residence.(3) After some noisy and threatening talk, Claiborne F. Jackson addressed the crowd, saying they had come there to vote; that they had a right to vote if they had been there but five minutes, and he was not willing to go home without voting; which was received with cheers.(4) Jackson then called upon them to form into little bands of 15 or 20, which they did,(5) and went to an ox wagon filled with guns, which were distributed among them.(6) and proceeded to load some of them on the ground.(7)

In pursuance of Jackson's request, they tied white tape or ribbons in their button-holes, so as to distinguish them from the "abolitionists." (8) They again demanded that the judges should resign; and upon their refusing to do so, smashed in the window sash and all, and presented their pistols and guns to them, threatening to shoot them.(9) Some one on the outside cried out to them not to shoot, as there were pro-slavery men in the house with the judges.(10) They then put a pry under the corner of the house, which was a log-house, and lifted it up a few inches and let it fall again,(11) but desisted upon being told there were pro-slavery men in the house. During this time the crowd repeatedly demanded to be allowed to vote without being sworn, and Mr. Ellison, one of the judges, expressed himself willing, but the other two judges refused;(12) thereupon a body of men, headed by sheriff Jones, rushed into the judge's room with cocked pistols and drawn bowie-knives in their hands, and approached Burson and Ramsay.(13) Jones pulled out his watch and said he would give them five minutes to resign in, or die.(14) When the five minutes had expired and the judges did not resign, Jones said he

(1) H. Burson, N. Ramsay, James M. Dunn, Andrew White, Dr. E. G. Macey, H. Muzzy, Wm. Jessee, John A. Wakefield.

(2) E. G. Macey.

(3) H. Burson, N. Ramsay, J. M. Dunn, A. White, E. G. Macey, H. Muzzy, Wm. Jessee, John A. Wakefield.

(4) J. M. Dunn, A. White, E. G. Macey, J. A. Wakefield.

(5) E. G. Macey, J. A. Wakefield.

(6) J. M. Dunn, J. C. Dunn, A. White.

(7) E. G. Macey.

(8) J. M. Dunn, J. N. Mace, A. White, E. G. Macey, J. A. Wakefield.

(9) H. Burson, N. Ramsay.

(10) J. C. Dunn.

(11) H. Burson, N. Ramsay, J. N. Mace, J. C. Dunn, A. White, E. G. Macey, H. Muzzy, S. Jones, J. A. Wakefield.

(12) J. C. Dunn.

(13) Harrison Burson, N. Ramsay.

(14) H. Burson, N. Ramsay, J. C. Dunn, H. Muzzy, Wm. Jessee.

would give them another minute and no more.(15) Ellison told his associates that if they did not resign there would be one hundred shots fired in the room in less than fifteen minutes,(16) and then snatching up the ballot-box ran out into the crowd, holding up the ballot-box and hurrahing for Missouri.(17) About that time Burson and Ramsay were called out by their friends, and not suffered to return.(18) As Mr. Burson went out he put the ballot poll-books in his pocket and took them with him,(19) and as he was going out Jones snatched some papers away from him,(20) and shortly afterwards came out himself, holding them up, crying, "Hurrah for Missouri!"(21) After he discovered they were not the poll-books, he took a party of men with him and started off to take the poll-pooks from Burson.(22) When Mr. Burson saw them coming, he gave the books to Mr. Umberger and told him to start off in another direction, so as to mislead Jones and his party.(23) Jones and his party caught Mr. Umberger, took the poll-books away from him, and Jones took him up behind him on a horse and carried him back a prisoner.(24) After Jones and his party had taken Umberger back, they went to the house of Mr. Ramsay and took Judge John A. Wakefield prisoner, and carried him to the place of election,(25) and made him get up on a wagon and there make a speech; after which they put a white ribbon in his button-hole and let him go.(26) They then chose two new judges and proceeded with the election.(27) They also threatened to kill the judges if they did not receive their votes without swearing them, or else resign.(28) They said no man should vote who would submit to be sworn; that they would kill any man who would offer to do so. "Shoot him;" "Cut his guts out," &c.(29) They said no man should vote this day unless he voted an open ticket, and was all right on the goose;(30) and that if they could not vote by fair means, they would by foul means.(31) They said they had as much right to vote if they had been in the Territory two minutes as if they had been there two years, and they would vote.(32) Some of the citizens who were about the window, but had not voted when the crowd of Missourians marched up there, upon attempting to vote were driven back

(15) H. Burson, N. Ramsay, H. Muzzy.

(16) H. Burson, N. Ramsay, J. W. Mace, H. Muzzy, W. Jesse, S. Jones, J. A. Wakefield.

(17) H. Burson, J. C. Dunn.

(18) H. Burson, N. Ramsay, J. C. Dunn, A. White, H. Muzzy, Wm. Jesse.

(19) H. Burson, J. C. Dunn.

(20) H. Burson.

(21) H. Burson, J. M. Dunn, E. G. Macey, Wm. Jesse.

(22) H. Burson, N. Ramsay.

(23) H. Burson, A. White, G. W. Umberger, Wm. Jesse.

(24) H. Burson, N. Ramsay, A. White, E. G. Macey, G. W. Umberger, Wm. Jesse, J. A. Wakefield.

(25) N. Ramsay, J. M. Dunn, A. White, E. G. Macey, G. W. Umberger, Wm. Jesse, J. A. Wakefield.

(26) E. G. Macey, G. W. Umberger, J. A. Wakefield.

(27) T. Lohy.

(28) J. C. Dunn, Wm. Jesse, S. Jones.

(29) H. Burson, N. Ramsay, J. M. Dunn, J. N. Mace, A. White, E. G. Macey, W. Jesse.

(30) N. Ramsay.

(31) H. Burson, N. Ramsay, J. M. Dunn.

(32) J. M. Dunn.

by the mob, or driven off.(33) One of them, Mr. I. M. Mace, was asked if he would take the oath; and upon his replying that he would if the judges required it, he was dragged through the crowd away from the polls, amid cries of "kill the damned nigger-thief," "cut his throat," "tear his heart out," &c. After they got him to the outside of the crowd, they stood around him with cocked revolvers and drawn bowie-knives; one man putting a knife to his breast so that it touched him; another holding a cocked pistol to his ear, while another struck at him with a club.(34)

The Missourians said they had a right to vote, if they had been in the Territory but five minutes.(35) Some said they had been hired to come there and vote, and got a dollar a day, and by God they would vote or die there.(36.)

They said the 30th day of March was an important day, as Kansas would be made a slave State on that day.(37) They began to leave in the direction of Missouri in the afternoon, after they had voted,(38) leaving some thirty or forty around the house where the election was held, to guard the polls till after the election was over.(39) The citizens of the Territory were not armed, except those who took part in the mob,(40) and a large portion of them did not vote.(41) Three hundred and forty-one votes were polled there that day, of which but some thirty were citizens.(42) A protest against the election was got up and sent to the governor.(43) The returns of the election made to the governor were lost by the committee of elections of the legislature at Pawnee.(44)

The duplicate returns left in the ballot-box were taken by F. E. Lohy, one of the judges elected by the Missourians, and were either lost or destroyed in his house,(45) so that your committee have been unable to institute a comparison between the poll-lists and census returns of this district. The testimony is uniform, that not over thirty of those who voted there that day were entitled to vote, leaving 311 illegal votes. We are satisfied, from the testimony, that had the actual settlers alone voted, the free-State candidates would have been elected by a handsome majority.

THIRD DISTRICT.—*Tecumseh.*

On the 28th of March, persons from Clay, Jackson and Howard counties, Missouri, began to come into Tecumseh in wagons, carriages, and on horseback, armed with guns, bowie-knives and revolvers, and with tents, and camped close by the town, and continued coming in

(33) H. Burson, N. Ramsey, Wm. Jesse, I. N. Mace.

(34) I. N. Mace, H. Muzzy.

(35) J. M. Dunn, A. White, E. G. Macey, J. A. Wakefield.

(36) J. M. Dunn, J. C. Dunn, A. White.

(37) N. Ramsey.

(38) J. C. Dunn, A. White.

(39) A. White.

(40) H. Burson.

(41) H. Burson, I. N. Mace, H. Muzzy, Wm. Jesse, J. A. Wakefield.

(42) H. Burson.

(43) S. Jones, J. A. Wakefield.

(44) Daniel Woodson.

(45) F. E. Lohy.

and camping until the day of election.(1) The night before the election, 200 men were sent for from the camp of the Missourians at Lawrence.(2) On the morning of the election, before the polls were opened, some 300 or 400 Missourians and others collected in the yard about the house of Thomas Stinson, where the election was to be held, armed with bowie-knives, revolvers, and clubs.(3) They said they came to vote and whip the damned Yankees, and would vote without being sworn.(4) Some said they came to have a fight, and wanted one.(5)

Colonel Samuel H. Woodson, of Independence, Missouri, was in the room of the judges when they arrived, preparing poll-books and tally-lists, and remained there during the attempts to organize.(6) The room of the judges was also filled by many of these strangers.(7) The judges could not agree concerning the oath to be taken by themselves, and the oath to be administered by the voters; Mr. Burgess desiring to administer the oath prescribed by the governor, and the other two judges opposing it.(8) During the discussion between the judges, which lasted for some time, the crowd outside became excited and noisy, threatening and cursing Mr. Burgess, the free-State judge.(9) Persons were sent at different times by the crowd outside into the room where the judges were with threatening messages, especially against Mr. Burgess, and at last ten minutes were given them to organize in or leave; and, as the time passed, persons outside would call out the number of minutes left, with threats against Burgess if he did not agree to organize.(10) At the end of that time the judges, not being able to organize, left the room, and the crowd proceeded to elect new judges and carry on the election.(11)

The free-State men generally left the ground without voting, stating that there was no use in their voting there.(12) The polls were so crowded during the first part of the day that the citizens could not get up to the window to vote.(13) Threats were made against the free-State men.(14) In the afternoon the Rev. Mr. Gilpatrick was attacked and driven off by the mob.(15) A man, by some called "Texas," made a speech to the crowd, urging them to vote, and to remain on the ground until the polls were closed, for fear the "abolitionists" would come there in the afternoon and overpower them, and thus they would lose all their trouble.(16)

(1) W. A. M. Vaughan, M. J. Mitchell, John Long.

(2) H. B. Burgess.

(3) Rev. H. B. Burgess, Charles Jourdan, James Hickey, Lewis O. Wilmarth, D. H. Horne, J. M. Merriam, W. R. Boggs, W. A. M. Vaughan.

(4) John Long, L. O. Wilmarth, George Holmes.

(5) L. O. Wilmarth.

(6) Rev. H. B. Burgess, John Long, George Holmes.

(7) H. B. Burgess.

(8) H. B. Burgess, George Holmes.

(9) H. B. Burgess, John Long, D. H. Horne.

(10) H. B. Burgess, Charles Jourdan, D. H. Horne.

(11) H. B. Burgess, Charles Jourdan, J. M. Merriam, George Holmes.

(12) H. B. Burgess, C. Jourdan, J. M. Merriam.

(13) L. O. Wilmarth.

(14) C. Jourdan.

(15) John Long.

(16) Charles Jourdan, James Hickey, D. H. Horne.

For making an affidavit in a protest against this election, setting forth the facts, Mr. Burgess was indicted by the grand jury for perjury; which indictment was found more than fifteen months ago, and is still pending, Mr. Burgess never having been informed who his accuser was, or what was the testimony against him.(17)

A large majority, four to one, of the actual settlers of that district were free-State men,(18) and there cannot be the least doubt that if none but the actual settlers of the district had voted at that election the free-State candidates would have been elected. The number of legal voters in the district, according to the census returns, were 101. The total number of votes cast were 372, and of these but 32 are on the census returns; and, from the testimony and records, we are satisfied that not over forty legal votes were cast at that election.

FOURTH DISTRICT.

A body of armed Missourians came into the district previous to the election, and camped there.(1) Before the time arrived for opening the polls, the Missourians went to another than the house appointed for the election, and one of the judges appointed by the governor and two chosen by the Missourians proceeded to open the polls and carry on the election.(2) The Missourians said that none but pro-slavery men should vote, and threatened to shoot any free-State men who would come up to vote.(3) Mr. Mockbee, one of the judges elected by the Missourians, had a store near the boundary fixed by the proclamation of the governor, while he cultivated a farm in Missouri, where his family lived, (4) and while his legal residence is there, and is now.

The Missourians also held a side election for governor of the Territory, voting for Thomas Johnson, of Shawnee Mission.(5) The free-State men finding the polls under the control of non-residents, refused to vote and did not vote.(6) They constituted a decided majority of the actual settlers.(7) A protest, signed by a majority of the residents of the district, was sent to the governor.(8) The whole number of voters in this district, according to the census returns, were 47; the number of votes cast were 80, of whom but 15 were residents. The number of residents whose names are on the census rolls, who did not vote, were 32.

FIFTH DISTRICT.

For some days prior to the election, companies of men were organized in Jackson, Cass, and Clay counties, Missouri, for the purpose of

(17) H. B. Burgess.

(18) H. B. Burgess.

(1) Perry Fuller, Peter Bassinger.

(2) Perry Fuller, Wm. Moore, J. F. Javens.

(3) J. F. Javens.

(4) William Moore, J. F. Javens, Thomas Mockbee.

(5) Perry Fuller, William Moore.

(6) J. F. Javens, Thomas Mockbee.

(7) Perry Fuller, W. Moore, J. F. Javens.

(8) Perry Fuller, J. F. Javens.

coming to the Territory and voting in the fifth district (1). The day previous to the election, some 400 or 500 Missourians, armed with guns, pistols, and knives, came into the Territory and camped at Bull Creek, and on the Pottawatomie creek (2).

On the evening before the election, Judge Hamilton, of the Cass county court, Missouri, came from the Pottawatomie Creek camp to Bull Creek camp for 100 more Missourians, as they had not enough there to make the election certain, and they went down there with him (3).

On the evening before the election, Dr. R. C. Westfall was selected to act as one of the judges of election in the Bull Creek precinct, in place of one of the judges appointed by the governor, who, it was said, would not be there the next day (4). Dr. Westfall was at that time a citizen of Jackson county, Missouri (5). On the morning of the election the polls for Bull Creek precinct were opened, and, without swearing the judges, they proceeded to receive the votes of all who offered to vote. For the sake of appearances, the judges would get some one to come to the window and offer to vote, and when asked to be sworn he would pretend to get angry at the judges, and would go away, and his name would be put down as having refused to vote, but it repeated, refusing to be sworn (6). This arrangement was made previously, and was perfectly understood by the judges (6). But few of the residents of the district were present at the election, and only 13 voted (7). The number of votes cast in the precinct was 333. One Missourian voted for him (8), and then voted for his little son but 10 or 11 years old (8). Colonel Coffee, Henry Younger, and Mr. Lykins, who were voted for and elected to the legislature, were residents of Missouri at that time (9).

After the polls were closed the returns were made out, and a man claiming to be a magistrate certified on them that he had sworn the judges of election before opening the polls (10).

In the Pottawatomie precinct the Missourians attended the election, and after threatening Mr. Chestnut, the only judge present appointed by the governor, to induce him to resign, they proceeded to elect two other judges, one a Missourian and the other a resident of another precinct of that district. The polls were then opened, and all the Missourians were allowed to vote without being sworn. After the polls were closed, and the returns made out for the signatures of the judges, Mr. Chestnut refused to sign them, as he did not consider them correct returns of legal voters. Colonel Coffee, a resident of Missouri, but elected to the Kansas legislature from that district at that election, endeavored, with others, to induce Mr. Chestnut by threats to sign the

(1) Dr. R. C. Westfall, Joseph M. Gearhart.

(2) Dr. R. C. Westfall, Jesse W. Wilson, J. M. Gearhart.

(3) Dr. R. C. Westfall.

(4) Dr. R. C. Westfall.

(5) Dr. R. C. Westfall, J. W. Wilson.

(6) Dr. R. C. Westfall.

(7) J. W. Wilson.

(8) Dr. R. C. Westfall.

(9) Dr. R. C. Westfall, J. M. Gearhart.

(10) Dr. R. C. Westfall.

return, which he refused to do, and left the house. On his way home he was fired at by some Missourians, though not injured.(11) There were three illegal to one legal vote given there that day.(12)

At the Big Sugar precinct, the judges appointed by the governor met at the time appointed, and proceeded to open the polls, after being duly sworn. After a few votes had been received, a party of Missourians came into the yard of the house where the election was held, and unloading a wagon filled with arms, stacked their guns in the yard, and came up to the window and demanded to be allowed to vote. Two of the judges decided to receive their votes; whereupon the third judge, Mr. J. M. Arthur, resigned, and another was chosen in his place. Col. Young, a citizen of Missouri, but a candidate for and elected to the Territorial council, was present, and voted in this precinct. He claimed that all Missourians who were present on the day of election were entitled to vote. But 30 or 40 of the citizens of the precinct were present, and many of them did not vote.(13)

At the Little Sugar precinct the election seemed to have been conducted fairly, and there a free-State majority was polled.(14) From the testimony the whole district appears to have been largely free-State; and had none but actual settlers voted, the free-State candidates would have been elected by a large majority.

From a careful examination of the testimony and the records, we find that from 200 to 225 legal votes were polled out of 885—the total number given in the four precincts of that district. Of the legal votes cast the free-State candidates received 152.

SIXTH DISTRICT.—*Fort Scott.*

A company of citizens of Missouri, mostly of Bates county, came into this district the day before the election, some camping, and others putting up at the public house.(1) They numbered from 100 to 200,(2) and came in wagons and on horseback, carrying their provisions and tents with them, and were generally, armed with pistols. They declared their purpose to vote, and claimed the right to do so. They went to the polls, generally, in small bodies, with tickets in their hands, and many, if not all, voted. In some places they declared they had voted, and gave their reasons for so doing. Mr. Anderson, a pro-slavery candidate for the legislature, endeavored to dissuade the non-residents from voting, because he did not wish the election contested.(3) This person, however, insisted upon voting, and upon his right to vote, and did so. No one was challenged or sworn, and all voted who desired to. Out of 350 votes cast not over 100 were legal, and but 64 of these are found in the census taken one month before by Mr. Barber, the candidate for council. Many of the free-State men did not vote; but your committee are satisfied that of the

(11) Wm. Chestnut.

(12) Wm. Chestnut.

(13) James McArthur.

(14) S. W. Bouton.

(1) John Hamilton.

(2) John Hamilton, E. B. Cook, F. B. Arnett:

(3) Joseph C. Anderson

legal votes cast the pro-slavery candidates received a majority. Mr. Anderson, one of these candidates, was an unmarried man, who came into the district from Missouri a few days before the election, and boarded at the public house until the day after the election. He then took with him the poll-lists, and did not return to Fort Scott until the occasion of a barbecue, the week before the election of October 1, 1855. He voted at that election, and after it left, and has not since been in the district. S. A. Williams, the other pro-slavery candidate, at the time of the election had a claim in the Territory, but his legal residence was not there until after the election.

SEVENTH DISTRICT.

From 200 to 300 men from the State of Missouri came, in wagons or on horseback, to the election ground at Switzer's creek, in the second district, and encamped near the polls, on the day preceding the election. They were armed with pistols and other weapons, and declared their purpose to vote, in order to secure the election of pro-slavery members. They said they were disappointed in not finding more Yankees there, and that they had brought more men than were necessary to counterbalance their vote. A number of them wore badges of blue ribbon, with a motto, and the company were under the direction of leaders. They declared their intention to conduct themselves peacefully, unless the residents of the Territory attempted to stop them from voting. Two of the judges of election appointed by Governor Reeder refused to serve, whereupon two others were appointed in their stead by the crowd of Missourians who surrounded the polls. The newly appointed judges refused to take the oath prescribed by Governor Reeder, but made one to suit themselves. Andrew Johnson requested the voters to swear if he had a claim in the Territory, and if he had voted in another district. The judges did not take the oath prescribed, but were sworn to receive all legal votes. The Missourians voted without being sworn; they supported H. J. Stickler for council and M. W. McGee for representative; they left the evening of election; some of them started on horseback for Lawrence, as they said they could be there before night, and all returned the way they came. The census list shows 53 legal voters in the district. 253 votes were cast; of these 25 were residents, 17 of whom were in the district when the census was taken.(1) Some of the residents present at the polls did not vote, declaring it useless. Candidates declined to run on the free-State ticket, because they were unwilling to run the risk of so unequal a contest, it being known that a great many are coming up from Missouri to vote.(2) Nearly all the settlers were free-State men, and 23 of the 25 legal votes given were cast for the only free-State candidate running. Mobillon McGee, who was declared elected representative, had a claim—a saw-mill and a house—in the Territory, and he was there part of the time. But his legal residence is now and was then near Westport, in Missouri, where he owns and conducts a valuable farm, and where his family resides.

(1) James A. Stewart, M. H. Rose.

(2) W. F. Johnson.

EIGHTH DISTRICT.

This was attached to the seventh district for a member of the council and a representative, and its vote was controlled by the illegal votes cast there. The census shows 39 votes in it; 37 votes were cast, of whom a majority voted the free-State ticket.

NINTH DISTRICT.

Fort Riley and Pawnee are in this district. The latter place was selected by the governor as the temporary capital, and he designed there to expend the sums appropriated by Congress in the construction of suitable houses for the legislature. A good deal of building was then being done at the fort near by. For these reasons a number of mechanics, mostly from Pennsylvania, came into the district in March, 1855, to seek employment. Some of these voted at the election. The construction of the capital was first postponed, then abandoned, and finally the site of the town was declared by the Secretary of War to be within the military reservation of Fort Riley. Some of the inhabitants returned to the States, and some went to other points of the Territory. Your committee find that they came as settlers, intending to remain as such, and were entitled to vote.(1.)

TENTH DISTRICT.

In this district ten persons belonging to the Wyandott tribe of Indians voted. They were of that class who under the law were entitled to vote, but their residence was in Wyandott village, at the mouth of the Kansas river, and they had no right to vote in this district. They voted the pro-slavery ticket.(2.) Eleven men, recently from Pennsylvania, voted the free-State ticket. From the testimony, they had not, at the time of the election, so established their residence as to have entitled them to vote.(3.) In both these classes of cases the judges examined the voters under oath, and allowed them to vote, and in all respects the election seems to have been conducted friendly. The rejection of both would not have changed the result. This and the eighth election district formed one representative district, and was the only one to which the invasion from Missouri did not extend.

ELEVENTH DISTRICT.

The 9th, 10th, 11th, and 12th election districts being all separately settled, were attached together in a council district, and the 11th and 12th as representative districts. This election district is sixty miles north from Pawnee, and one hundred and fifty miles from Kansas City. It is the northwest settlement in the Territory, and contained, when the census was taken, but thirty-six inhabitants, of whom twenty-four were voters. There was on the day of election no white set-

(1) Andrew McConnell, R. W. Wilson, A. H. Reeder.

(2) M. A. Garrett, Joseph Stewart.

(3) M. J. Osborne, Isaac S. Hascall.

tlement about Marysville, the place of voting, for forty miles, except that Marshall & Bishop kept a store and ferry at the crossing of the Big Blue and the California road.(4) Your committee were unable to procure witnesses from this district. Persons who were present at the election were duly summoned by an officer, and among them was F. J. Marshall, the member of the House from that district. On his return, the officer was arrested and detained, and persons bearing the names of some of the witnesses summoned were stopped near Leecompton, and did not appear before the committee. The returns show that, in defiance of the governor's proclamation, the voting was "viva voce" instead of by ballot. Three hundred and twenty-eight names appear upon the poll-books as voting, and, by comparing these names with those on the census-rolls, we find that but seven of the latter voted. The person voted for as representative (F. J. Marshall) was chief owner of the store at Marysville, and was there sometimes,(5) but his family lived in Weston, Mo. John Donaldson, the candidate voted for the council, then lived in Jackson county, Mo.(6)

On the day after the election Mr. Marshall, with twenty-five or thirty men from Weston, Mo., was on the way from Marysville to the State. Some of the party told a witness who had formerly resided at Weston, that they were up at Marysville, and carried the day for Missouri, and that they had voted about one hundred and fifty votes. Mr. Marshall paid the bill at that point for the party.

There does not appear to have been any emigration into that district in March, 1855, after the census was taken; and, judging from the best test in the power of your committee, there were but seven legal votes cast in the district, and three hundred and twenty-one illegal.

TWELFTH DISTRICT.

The election in this district was conducted fairly. No complaint was made that illegal votes were cast.

THIRTEENTH DISTRICT.

Previous to the day of election several hundred Missourians from Platte, Clay, Boone, Clinton, and Howard counties, came into the district in wagons and on horseback, and camped there.(1) They were armed with guns, revolvers, and bowie-knives, and had badges of hemp in their button-holes and elsewhere about their persons.(2) They claimed to have a right to vote from the fact that they were there on the ground, and had, or intended to make claims in the Territory, although their families were in Missouri.(3)

The judges appointed by the governor opened the polls, and some

(4.) Augustus Baker.

(5.) Augustus Baker.

(6.) T. E. D'Avis.

(1.) T. B. Ross, W. H. Godwin, Dr. James Noble, T. A. Minard, Charles Hardh.

(2.) T. B. Ross, W. H. Godwin.

(3.) T. B. Ross, Dr. J. Noble.

persons offered to vote; and when their votes were rejected on the ground that they were not residents of the district, the crowd threatened to tear the house down if the judges did not leave.(4)

The judges then withdrew, taking the poll-books with them.(5) The crowd then proceeded to select other persons to act as judges, and the election went on.(6) Those persons voting who were sworn were asked if they considered themselves residents of the district, and if they said they did they were allowed to vote.(7) But few of the residents were present and voted,(8) and the free-State men, as a general thing, did not vote.(9) After the Missourians got through voting, they returned home.(10)

A formal return was made by the judges of election, setting out the fact, but it was not verified. The number of legal voters in this district was ninety-six, of whom a majority were free-State men; of the legal voters 12 voted. The total number of votes cast was 239.

FOURTEENTH DISTRICT.

It was generally rumored in the district for some days before the election that the Missourians were coming over to vote.(1) Previous to the election, men from Missouri came into the district and electioneered for the pro-slavery candidates,(2) General David R. Atchison and a party controlling the nominations in one of the primary elections.(3)

Burr Oak precinct.—Several hundred Missourians from Buchanan, Platte, and Andrew counties, Missouri, including a great many of the prominent citizens of St. Joseph's, came into this precinct the day before and on the day of election, in wagons and on horses, and camped there.(4) Arrangements were made for them to cross the ferry at St. Joseph's free of expense to themselves.(5) They were armed with bowie-knives and pistols, guns and rifles.(6) On the morning of the election the free-State candidates resigned in a body on account of the presence of the large number of armed Missourians, at which the crowd cheered and hurrahed.(7) General B. F. Stringfellow was present and was prominent in promoting the election of the pro-slavery ticket, as was also the Hon. Willard P. Hall and

(4.) T. B. Ross, Charles Hardh, N. B. Sharp.

(5.) T. B. Ross, C. Hardh.

(6.) T. B. Ross, W. H. Godwin, Dr. J. Noble, R. Chandler, T. A. Minard, C. Hardh. G. M. Dyer, O. B. Tebbs.

(7.) R. Chandler.

(8.) T. B. Ross, Dr. J. Noble.

(9.) T. B. Ross, Dr. J. Noble, R. Chandler, C. Hardh, O. B. Tebbs.

(10) T. B. Ross, Dr. J. Noble.

(1) Benj. Harding, John H. Whitehead, Alfred Larzelier.

(2) Benj. Harding, Willard P. Hall, Dr. G. A. Cutler.

(3) Dr. G. A. Cutler.

(4) A. A. Jamieson, W. P. Richardson, Benj. Harding, J. H. Whitehead, J. R. Carter. A. Larzelier, Willard P. Hall, B. H. Brock, C. W. Stewart, A. M. Mitchell, H. S. Creel. G. W. Gillespie.

(5) L. Dillon, G. W. Gillespie.

(6) A. A. Jamieson, Willard P. Hall, C. W. Stewart.

(7) A. A. Jamieson, W. P. Richardson, Benj. Harding, J. H. Whitehead, A. Larzelier. W. P. Hall, T. P. Blair.

others of the most prominent citizens of St. Joseph's, Missouri.(8) But one of the judges of election appointed by the governor served on that day, and the crowd chose two others to supply the vacancies.(9) The Missourians said they came there to vote for and carry the election for Major W. P. Richardson.(10) Major Richardson, elected to the council, had had a farm in Missouri, where his wife and daughter lived with his son-in-law, Willard P. Hall, he himself generally going home to Missouri every Saturday night. The farm was generally known as the Richardson farm. He had a claim in the Territory upon which was a saw-mill, and where he generally remained during the week.(11.) Some of the Missourians gave as their reason for voting that they had heard that eastern emigrants were to be at that election,(12) though no eastern emigrants were there.(13) Others said they were going to vote for the purpose of making Kansas a slave State.(14) Some claimed that they had a right to vote under the provisions of the Kansas-Nebraska bill, from the fact that they were present on the ground on the day of election.(15) The free-State men generally did not vote,(16) and those who did vote, voted generally for John H. Whitehead, pro-slavery, for council, against Major W. P. Richardson, and did not vote at all for members of the border town.(17) The parties were pretty nearly equally divided in the district, some being of opinion that the free-State party had a small majority,(18) and others that the pro-slavery party had a small majority.(18) After the election was over and the polls were closed, the Missourians returned home. During the day they had provisions and liquor served out free of expense to all.(19)

Doniphan precinct.—The evening before the election some 200 or more Missourians from Platte, Buchanan, Saline, and Clay counties, Missouri, came into this precinct, with tents, musie, wagons, and provisions, and armed with guns, rifles, pistols, and bowie-knives, and camped about two miles from the place of voting.(20) They said they came to vote, to make Kansas a slave State, and intended to return to Missouri after they had voted.(21) On the morning of the election the judges appointed by the governor would not serve, and others were chosen by the crowd.(22)

The Missourians were allowed to vote without being sworn,(23)

(8) A. A. Jamieson, W. P. Richardson, J. H. Whitehead, W. P. Hall.

(9) A. A. Jamieson, Benj. Harding, J. H. Whitehead, A. Larzeller, O. Hulan.

(10) A. A. Jamieson, W. P. Hall.

(11) A. A. Jamieson, W. P. Richardson, W. P. Hall.

(12) W. P. Richardson, J. H. Whitehead, J. R. Carter, W. P. Hall, A. M. Mitchell, H. S. Creel.

(13) B. Harding, J. H. Whitehead, J. R. Carter, W. P. Hall.

(14) W. P. Hall, H. S. Creel.

(15) B. H. Brock, C. W. Stewart, H. S. Creel.

(16) A. A. Jamieson, W. P. Richardson, J. H. Whitehead, A. Larzeller, C. W. S. Creel.

(17) W. P. Richardson, C. B. Whitehead.

(18) A. A. Jamieson, B. Harding, A. Larzeller, C. W. Stewart.

(19) W. P. Richardson, J. H. Whitehead, W. P. Hall, Thomas W. Waterston, J. P. Blair.

(20) W. P. Richardson, G. W. Gillespie.

(21) Richard Tuck, Eli Hamilton, John Landis, Luther Dickerson, J. W. Beattie, David Fliser.

(22) R. Tuck, E. Hamilton, J. W. Beattie.

(23) R. Tuck, E. Hamilton, David Fliser.

some of them voting as many as eight or nine times ; changing their hats and coats, and giving in different names each time (24) After they had voted, they returned to Missouri.(25) The free-State men generally did not vote,(26) though constituting a majority in the precinct.(27) Upon counting the ballots in the box, and the names on the poll-lists, it was found that there were too many ballots,(27) and one of the judges of election took out ballots enough to make the two members correspond.(28)

Wolf River precinct.—But few Missourians were present in this precinct, though some of them threatened one of the judges because he refused to receive their votes ; and when he resigned another was chosen in his place, who consented to receive their votes.(29)

Protests were drawn up against the elections in the various precincts in the 14th district, but on account of threats that greater numbers of Missourians would be at a new election, should it be called, and of personal violence to those who should take part in the protest, it was not presented to the governor ;(30) Major Richardson, the pro-slavery candidate for council, threatening Dr. Cutler, the free-State candidate, that if he contested the election he and his office should be put in the Missouri river.(31) The number of voters in this district by the census was 334 ; of these 124 voted. The testimony shows that quite a number of persons whose legal residence was in the popular county of Buchanan, Missouri, on the opposite side of the river, had claims in the Territory. Some ranged cattle, and others marked out their claim and built a cabin, and sold this incipient title when they could. They were not residents of the Territory in any just or legal sense. A number of settlers removed into the district in the month of March. Your committee are satisfied, after a careful analysis of the records and testimony, that the number of legal votes cast did not exceed 200 out of 727.

FIFTEENTH DISTRICT.

The election in this district was held at the house of Mr. Hayes. On the day of election a crowd of from 400 to 500 men(1) collected around the polls, of which the great body were citizens of Missouri.

One of the judges of election in his testimony(2) states that the strangers commenced crowding around the polls, and that then the residents left. Threats were made before and during the election day that there should be no free-State candidates, although there were nearly or quite as many free-State as pro-slavery men resident in the district ; most of the crowd were drinking and carousing, cursing the abolitionists, and threatening the only free-State judge of election. A

(24) R. Tuck.

(25) R. Tuck, E. Hamilton, J. Landis, L. Dickerson.

(26) John Landis.

(27) R. Tuck, John Landis, E. Hamilton, J. F. Foreman.

(28) E. Hamilton.

(29) Dr. G. A. Cutler.

(30) Dr. G. A. Cutler, John Landis, A. A. Jamieson.

(31) Dr. G. A. Cutler.

(1) T. B. Crane, Joseph Potter.

(2) E. R. Zimmerman.

majority of those who voted wore hemp in their button-holes,(3) and their password was, "All right on the hemp." Many of the Missourians were known and are named by the witnesses. Several speeches were made by them at the polls; and among those who spoke were Major Oliver, one of your committee, Col. Burns, and Laban Williams, of Platte county. Major Oliver urged upon all present to use no harsh words, and expressed the hope that nothing would be said or done to wound the feelings of the most sensitive on the other side. He gave some grounds, based on the Missouri compromise, in regard to the right of voting, and was understood to excuse the Missourians for voting. Your committee are satisfied that he did not vote. Colonel Burns recommended all to vote. They came to vote, and he hoped that none would go home without voting. Some of the pro-slavery residents were much dissatisfied at the interference with their rights by the Missourians, and for that reason, and because reflection convinced them that it would be better to have Kansas a free State, they that day "fell over the fence." (4)

The judges required the voters to take an oath that they were actual residents. They objected at first, some saying they had a claim, or held a claim, or owned a claim, or "I am here;" but the free-State judge insisted upon the oath, and his associates, who at first were disposed to waive it, coincided with him, and the voters all took it after some grumbling. One said he cut him some poles and laid them in the shape of a square, and that made him a claim; and another said that he had cut a few sticks of wood, and that made him a claim. The free-State men did not vote, although they believed their number to be equal to the pro-slavery settlers, and some claimed that they had the majority. They were deterred by threats thrown out by the Missourians, before and on the day of election, from putting up candidates; and none were run, for the reason that there was a credited rumor prevailing that the Missourians would control the election. The free-State judge was threatened with expulsion from the polls, and a young man thrust a pistol into the window through which the votes were received. The whole number of votes cast was 417; of the names on the poll-book but 62 are on the census rolls, and the testimony shows that but a small portion, estimated by a witness at one-fourth of the legal voters, voted. Your committee estimate the number of legal votes at 80. One of the judges refused to certify to the governor that the election was fairly conducted. It was not contested because no one would take the responsibility of doing it, as it was not considered safe, and that if another election was had the residents would fare no better.

SIXTEENTH DISTRICT.

For some time previous to the election, meetings were held and arrangements made in Missouri to get up companies to come over to the Territory and vote;(1) and the day before and the day of elec-

(3) E. R. Zimmerman, Joseph Potter.

(4) E. R. Zimmerman.

(1) H. Miles Moore, A. McAuley, L. Kerr.

tion large bodies of Missourians from Platte, Clay, Ray, Chariton, Carrol, Clinton, and Saline counties, Missouri, came into this district and camped there.(2) They were armed with pistols, bowie-knives, and some with guns and rifles,(3) and had badges of hemp in their button-holes and elsewhere about their persons.(4)

On the morning of the election there were from 1,000 to 1,400 persons present on the ground.(5)

Previous to the election Missourians endeavored to persuade the two free-State judges to resign by making threats of personal violence to them;(6) one of whom resigned on the morning of the election, and the crowd chose another to fill his place.(7) But one of the judges—the free-State judge—would take the oath prescribed by the governor, the other two deciding that they had no right to swear any one who offered to vote, but that all on the ground were entitled to vote.(8) The only votes refused were some Delaware Indians, some thirty Wyandott Indians being allowed to vote.(9) One of the free-State candidates withdrew in consequence of the presence of the Missourians, amid cheering and acclamation by the mob.(10) During the day the steamboat New Lucy came down from Weston, Missouri, with a large number of Missourians on board, who voted, and then returned on the boat.(11)

The Missourians gave as a reason for their coming over to vote, that the North had tried to force emigration into the Territory, and they wanted to counteract that movement.(12) Some of the candidates, and many of the Missourians, took the ground that, under the Kansas-Nebraska act, all who were on the ground on the day of election were entitled to vote;(13) and others, that laying out a town and taking a lot, or driving down stakes, even on another man's claim, gave them a right to vote;(14) and one of the members of the councils, R. R. Rees, declared in his testimony that he who should put a different construction upon the law must be either a knave or a fool. The free-State men generally did not vote at that election,(15) and no newly-arrived eastern emigrants were there.(16)

The free-State judge of election refused to sign the returns until the words "by lawful resident" voters were stricken out, which was done,

(2) David Brown, F. A. Hart, G. F. Warren, R. R. Rees, A. Russell, P. R. Orr, L. J. Eastin, A. Fisher, M. France, H. M. Moore.

(3) D. Brown, F. A. Hart, G. F. Warren, A. Fisher, H. M. Moore, W. G. Matthias.

(4) F. A. Hart, L. J. Eastin, M. France, W. H. Adams, H. M. Moore.

(5) F. A. Hart, T. A. Minard, G. F. Warren, R. R. Rees, A. J. Pattie, W. G. Matthias.

(6) D. Brown, M. France.

(7) D. Brown, F. A. Hart, M. France.

(8) M. France.

(9) M. France.

(10) F. A. Hart, L. J. Eastin, W. H. Adams.

(11) D. Brown, F. A. Hart, T. A. Minard, G. F. Warren, R. R. Rees, L. J. Eastin, A. T. Kyle, D. J. Johnson, M. France, A. J. Pattie, H. M. Moore.

(12) R. R. Rees, L. J. Eastin, W. H. Adams, H. M. Moore.

(13) D. Brown, T. C. Minard, E. F. Warren, R. R. Rees, H. M. Moore.

(14) D. Brown, F. A. Hart.

(15) D. Brown, T. G. Minard, G. F. Warren, F. A. Hart, M. France, H. M. Moore.

(16) L. J. Eastin, M. France, W. H. Adams.

and the returns made in that way.(17) The election was contested, and a new election ordered by the governor for the 22d of May.

The testimony is divided as to the relative strength of parties in the district. The whole number of voters in the district according to the census returns was 385, and according to a very carefully-prepared list of voters, prepared by the pro-slavery candidates and other pro-slavery men a few days previous to the election, there were 305 voters in the district, including those who had claims but did not live on them.(18) The whole number of votes cast was 964; of those named on the census 106 voted. Your committee, upon careful examination, are satisfied that not over 150 legal votes were cast, leaving 814 illegal votes.

SEVENTEENTH DISTRICT.

The election in this district seems to have been fairly conducted, and not contested at all. In this district the pro-slavery party had the majority.

EIGHTEENTH DISTRICT.

Previous to the election Gen. David R. Atchison, of Platte City, Missouri, got up a company of Missourians, and passing through Weston, Missouri,(1) went over into the Territory. He remained all night at the house of Arnett Grooms, and there exhibited his arms, of which he had an abundance. He proceeded to the Nemaha or 18th district.(2) On his way he and his party attended a nominating convention in the 14th district, and proposed and caused to be nominated a set of candidates in opposition to the wishes of the pro-slavery residents of the district.(3) At that convention he said that there were 1,100 coming over from Platte county, and if that wasn't enough they could bring 5,000 more; that they came to vote and would vote, or kill every G—d d—d abolitionist in the Territory.(4)

On the day of election the Missourians under Atchison, who were encamped there, came up to the polls in the 18th district and voted, taking the oath that they were residents of the district. The Missourians were all armed with pistols and bowie-knives, and said there were sixty in their company.(5) But seventeen of the votes given there were given by citizens of the district.(6) The whole number of votes was sixty-two. R. L. Kirk, one of the candidates, came into the district from Missouri about a week before the election and boarded there.(7) He left after the election, and was not at the time a legal resident of the district in which he was elected. No protest was sent

(17) L. J. Eastin, M. France, W. H. Adams.

(18) L. J. Eastin, A. McAuley.

(1) H. Miles Moore.

(2) Dr. G. A. Cutler, Arnet Grooms.

(3) Dr. G. A. Cutler.

(4) Dr. G. A. Cutler.

(5) D. H. Baker, John Belero.

(6) D. H. Baker, John Belero.

(7) John Belero.

to the governor on account of threats made against any who should dare to contest the election. (8)

The following tables embody the result of the examination of your committee in regard to this election. In some of the districts it was impossible to ascertain the precise number of legal votes cast, and especially in the 14th, 15th, and 16th districts. In such cases the number of legal and illegal votes cast is stated after a careful re-examination of all the testimony and records concerning the election.

No. 1.

Abstract of census and returns of election of March 30, 1855, by election districts.

No. of district.	Place of voting.	Pro-slavery votes.	Free-State votes.	Scattering.	Total.	Total of legal votes.	Total of illegal votes.	CENSUS.		COUNCIL.		HOUSE.	
								No. of voters.	No. of persons resident.	No. of district.	No. of members.	No. of district.	No. of members.
1	Lawrence	781	323	.....	1,004	330	609	369	562	1	2	2	2
2	Bloomington	219	19	11	241	30	216	199	519	2	1	3	12
3	Stanton's or Tremont	366	4	9	379	32	326	161	992	2	1	4	1
4	Dr. Chapman's	70	9	.....	80	15	65	47	177	1	.....	.....	.....
5	Bull Creek	277	9	.....	286	13	260	.....	.....	.....	.....	.....	.....
6	Pottawatomie	199	63	.....	264	23	191	410	1,407	.....	.....	.....	.....
7	Big Sugar Creek	74	17	7	98	30	59	.....	.....	.....	.....	.....	.....
8	Little Sugar Creek	34	29	.....	104	104	.....	.....	.....	.....	.....	.....	.....
9	Fort Scott	315	35	.....	350	100	250	253	410	5	1	6	2
10	Isaac B. Tins'	311	32	.....	343	35	308	53	118	3	.....	5	1
11	Cornell Grove	17	17	.....	34	27	.....	29	83	3	.....	5	.....
12	Parsons	33	56	.....	73	73	.....	36	95	6	1	8	3
13	Big Blue	37	42	.....	69	48	21	62	151	10	.....	8	.....
14	Rock Creek	5	31	.....	35	32	.....	.....	.....	8	.....	8	.....
15	Marysville	308	.....	.....	308	7	301	34	36	.....	.....	9	1
16	St. Mary's	4	7	.....	11	11	.....	.....	.....	10	.....	9	.....
17	Silver Lake	19	.....	.....	19	23	33	78	144	1	.....	9	.....
18	Hickory Point	323	6	.....	329	13	320	56	384	10	.....	10	1
19	Dunsmuir	312	26	3	346	.....	.....	.....	.....	7	.....	11	.....
20	Wolf Creek	57	13	6	76	980	530	334	1,367	7	1	11	2
21	Burr Oak	336	9	46	396	.....	.....	.....	.....	8	.....	12	.....
22	Hayes	419	.....	5	417	80	337	398	873	9	1	13	2
23	Leavenworth	169	69	5	243	150	94	265	1,123	10	2	14	3
24	Gum Springs	43	16	.....	59	59	.....	50	150	1	.....	.....	.....
25	Mooretown	49	14	.....	62	17	45	32	99	7	1	.....	.....
Total		5,407	791	89	6,307	1,410	4,906	2,905	8,601	165	13	155	96

(5) Dr. G. A. Cutler.

[illegible][illegible]

No. 3.—Abstract of election of March 30, 1855, by representative districts.

No. of representative district.	No. of election district.	Precincts and place of voting.	No. of voters by census in election district.	No. of voters by census in representative dist.	No. of representatives.	Pro-slavery candidates.	Free State candidates.	Total votes for them in election district.	Total votes for them in representative district.	Scattering.	Total votes cast in election district.	Total votes cast in representative district.	No. of legal votes in election district.	No. of illegal votes in election district.	No. of legal votes in representative district.	No. of illegal votes in representative district.	No. of repa. elected by illegal voting.
1	4	Dr. Chapman's.....	47	97	1	A. S. Johnson.....	77	43	130	A. F. Powell.....	3	80	15	65	74	65	
2	17	Shawnee Mission.....	50	369	3	James Whitlock.....	789	781	781	John Hutchinson.....	16	292	59	139	59	139	
3	1	Lawrence.....	369	369	3	A. B. Wade.....	781	781	781	E. D. Ladd.....	254	1,034	929	1,034	929	1,034	3
4	2	Bloomington.....	912	912	2	G. W. Ward.....	318	318	318	P. P. Fowler.....	12	254	45	316	95	316	9
5	7	Tecumseh.....	101	101	1	O. H. Brown.....	318	318	318	Isaac Davis.....	19	341	341	341	341	341	1
6	8	L. E. True.....	53	92	1	D. L. Croysdale.....	206	206	206	E. G. Macy.....	4	370	370	370	370	370	
7	6	Conrad Grove.....	209	253	2	M. W. McGee.....	210	210	210	C. K. Holliday.....	1	253	253	253	253	253	
8	9	Fort Scott.....	253	253	2	do.....	12	12	12	A. J. Baker.....	23	234	95	309	69	309	1
9	5	Bull Creek.....	442	442	4	Joe. C. Anderson.....	315	315	315	H. Rice.....	25	37	37	37	37	37	
10	11	Pottawatomie Creek.....				S. A. Williams.....	313	313	313	Jno. Hamilton.....	36	350	350	350	350	350	
11	12	Big Sugar Creek.....				W. A. Haskell.....	377	377	377	Wm. Margraves.....	16	350	350	350	350	350	
12	13	Little Sugar Creek.....				Allen Wilkinson.....	375	375	375	John Serpell.....	9	350	350	350	350	350	
13	14	Pawnee.....	35	99	1	Henry Younger.....	377	377	377	Adam Port.....	9	350	350	350	350	350	
14	15	Big Blue.....	63	103	1	Wm. A. Haskell.....	198	198	198	Wm. Jennings.....	7	350	350	350	350	350	
15	16	Rock Creek.....	24	103	1	Allen Wilkinson.....	74	74	74	John Serpell.....	9	350	350	350	350	350	
16	17	Silver Lake.....	78	83	1	Henry Younger.....	74	74	74	Wm. Jennings.....	6	350	350	350	350	350	
17	18	St. Mary's.....	83	83	1	Allen Wilkinson.....	74	74	74	John Serpell.....	9	350	350	350	350	350	
18	19	Hickory Point.....	83	83	1	Henry Younger.....	74	74	74	Wm. Jennings.....	6	350	350	350	350	350	
19	20	Wolf River.....	83	83	1	Samuel Scott.....	74	74	74	John Serpell.....	9	350	350	350	350	350	
20	21					Russell Garrett.....	18	18	18	Wm. Jennings.....	6	350	350	350	350	350	
21	22					do.....	21	21	21	S. D. Houston.....	56	75	75	75	75	75	
22	23					do.....	21	21	21	do.....	43	69	69	69	69	69	
23	24					Fr. J. Marshall.....	286	286	286	do.....	31	167	167	167	167	167	
24	25					do.....	12	12	12	H. McCartney.....	19	328	328	328	328	328	
25	26					Wm. H. Tibbs.....	4	4	4	C. Hard.....	7	11	11	11	11	11	
26	27					John H. Stringfellow.....	237	237	237	G. A. Cutler.....	3	242	242	242	242	242	
27	28						57	57	57		15						

Doniphan	23	H. L. Kirk	23	John Landis	8	1	78	70	9
18	292	J. H. Stringfellow	292	J. Ryan	30				
14	48	R. L. Kirk	48	G. A. Cutler	25	6	346	186	160
15	50	J. H. Stringfellow	50	John Landis	18				
16	256	R. L. Kirk	256	Joel Ryan	14				
	258	Joel P. Blair	258	G. A. Cutler	13	54	69	488	17
	412	Thos. W. Waterson	412	John Landis	9	303	140	166	106
	413	H. B. C. Harris	413	John Fee					
	419	J. Weddell	419	Felix G. Braden	59		417	417	
	699	Wm. G. Mathias	699	Samuel France	59				
	890	H. B. McMeekin	890	F. Browning	59	59	964	964	
	335	Archey Payne	335						
Leavenworth	335		335						

Your committee report the following facts not shown by the tables:

Of the 2,905 voters named in the census rolls, 831 are found on the poll-books. Some of the settlers were prevented from attending the election by the distance of their homes from the polls, but the great majority were deterred by the open avowal that large bodies of armed Missourians would be at the polls to vote, and by the fact that they did so appear and control the election. The same causes deterred the free-State settlers from running candidates in several districts, and in others induced the candidates to withdraw.

The poll-books of the 2d and 8th districts were lost, but the proof is quite clear that in the 2d district there were thirty, and in the 8th district thirty-eight legal votes, making a total of eight hundred and ninety-eight legal voters of the Territory whose names are on the census returns. And yet the proof, in the state in which we are obliged to present it, after excluding illegal votes, leaves the total vote of 1,410, showing a discrepancy of 512. The discrepancy is accounted for in two ways: First, the coming in of settlers before the March election, and after the census was taken, or settlers who were omitted in the census; or, secondly, the disturbed state of the Territory while we were investigating the elections in some of the districts, thereby preventing us from getting testimony in relation to the names of illegal voters at the time of election.

If the election had been confined to the actual settlers, undeterred by the presence of non-residents, or the knowledge that they would be present in numbers sufficient to outvote them, the testimony indicates that the council would have been composed of seven in favor of making Kansas a free State, elected from the 1st, 2d, 3d, 4th, and 6th council districts. The result in the 8th and 10th, electing three members, would have been doubtful, and the 5th, 7th, and 9th would have elected three pro-slavery members.

Under like circumstances the House of Representatives would have been composed of fourteen members in favor of making Kansas a free State, elected from the 2d, 3d, 4th, 5th, 7th, 8th, 9th, and 10th representative districts.

The result in the 12th and 14th representative districts, electing five members, would have been doubtful; and the 1st, 6th, 11th, and 15th districts would have elected seven pro-slavery members.

By the election as conducted, the pro-slavery candidates in every district but the 8th representative district received a majority of the votes; and several of them, in both the council and house, did not "reside in" and were not "inhabitants of" the district for which they were elected, as required by the organic law.

By that act, it was declared to be "the true intent and meaning of this act to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject to the constitution of the United States." So careful was Congress of the right of popular sovereignty, that to secure it to the people, without a single petition from any portion of the country, they removed the restriction against slavery imposed by the Missouri compromise. And yet this right, so carefully secured, was thus by force and fraud overthrown by a portion of the people of an adjoining State.

The striking difference between this republic and other republics on this continent is not in the provisions of constitutions and laws, but that here changes in the administration of those laws have been made peacefully and quietly through the ballot-box. This invasion is the first and only one in the history of our government, by which an organized force from one State has elected a legislature for another State or Territory, and as such it should have been resisted by the whole executive power of the national government.

Your committee are of the opinion, that the constitution and laws of the United States have invested the President and the governor of the Territory with ample power for this purpose. They could only act after receiving authentic information of the facts; but when received, whether before or after the certificates of election were granted, this power should have been exercised to its fullest extent.

It is not to be tolerated that a legislative body thus selected should assume or exercise any legislative functions; and their enactments should be regarded as null and void. Nor should the question of its legal existence as a legislative body be determined by itself, as that would be allowing the criminal to judge of his own crime.

In section 22d of the organic act it is provided, that "the persons having the highest number of *legal* votes in each of said council districts for members of the council, shall be declared by the governor to be duly elected to the council, and the persons having the highest number of *legal* votes for the House of Representatives shall be declared by the governor duly elected members of said house." The proclamation of the governor required a verified notice of a contest, when one was made, to be filed with him within four days after the election. Within that time he did not obtain information as to force or fraud in any except the following districts; and in these there were material defects in the returns of election. Without deciding upon his power to set aside elections for force and fraud, they were set aside for the following reasons:

In the 1st district, because the words "by lawful resident voters" were stricken from the return.

In the 2d district, because the oath was administered by G. W. Taylor, who was not authorized to administer an oath.

In the 3d district, because material erasures from the printed form of the oath were purposely made.

In the 4th district, for the same reason.

In the 7th district, because the judges were not sworn to all.

In the 11th district, because the returns show the election to have been held *viva voce* instead of by ballot.

In the 16th district, because the words "by lawful residents" were stricken from the returns.

Although the fraud and force in other districts was equally great as in these, yet, as the governor had no information in regard to them, he issued certificates according to the returns.

ELECTION OF MAY 22, 1855.

The election to fill the vacancies caused by the action of the governor was held on the 22d of May, 1855. There was no illegal voting at that election except in the 16th district, at Leavenworth. For that district the pro-slavery party, while publicly refusing to acknowledge the legality of that election, not only voted, but a large number of the citizens of Missouri came over and voted as at the previous election.(1) The majority of the judges decided that all that was necessary to constitute a legal voter, was to have some one say he had some interest in the Territory.(2) No one was sworn that day, or even challenged.(3) The steamboat Kate Kassel came up, and men from her came ashore and voted.(4) Many free-State men did not vote that day.(5) One of the free-State judges desired the words "by lawful resident voters" to be stricken out of the return before he would sign it,(6) and only signed the return with those words in under a misapprehension.(7) It is impossible for your committee accurately to decide which party would have had a majority of the legal votes of the district, had no illegal votes been polled, on account of the difficulty of determining who were legal and who were illegal voters at that election.

Abstract of the returns of election of May 22, 1855.

No. of district.	Place of voting.	Pro-slavery votes.	Free State votes.	Scattering.	Total.
1	Lawrence.....	-----	288	18	306
2	Douglas.....	-----	127	-----	127
3	Stinson's.....	-----	148	1	149
7	" 110 ".....	-----	66	13	79
8	Council Grove.....	-----	33	-----	33
16	Leavenworth.....	560	140	15	715
Total		560	802	47	1,409

Your committee have felt it to be their duty, not only to inquire into and collect evidence in regard to force and fraud attempted and practised at the elections in the Territory, but also into the facts and pretexts by which this force and fraud have been excused or justified ; and, for this purpose, your committee have allowed the declarations

- (1) Win. H. Adams, G. H. Keller, Amos Rees.
- (2) M. France, Adam Fisher.
- (3) Matt. France, W. H. Adams, A. Fisher.
- (4) Matt. France, W. H. Adams.
- (5) M. France, A. Fisher.
- (6) Matt. France, Adam Fisher.
- (7) Matt. France.

of non-resident voters to be given as evidence in their own behalf; also, the declarations of all who came up the Missouri river, as emigrants, in March, 1855, whether they voted or not, and whether they came into the Territory at all or not, and also the rumors which were circulated among the people of Missouri previous to the election. The great body of the testimony taken at the instance of the sitting delegate is of this character.

When the declarations of parties passing up the river were offered in evidence, your committee received them upon the distinct statement that they would be excluded unless the persons making the declarations were, by other proof, shown to have been connected with the election. This proof was not made, and therefore much of this class of testimony is incompetent by the rules of law; but, it is allowed to remain as tending to show the cause of the action of the citizens of Missouri. The alleged causes of the invasion of March, 1855, are included in the following charges, viz:

1st. That the New England Emigrant Aid Society, of Boston, was then importing into the Territory large numbers of men, merely for the purpose of controlling the elections; that they came without women, children, or baggage, went into the Territory, voted, and returned again.

2d. That men were hired in the eastern and northern States, or induced to go to the Territory, solely to vote and not to settle, and by so doing to make it a free State.

3d. That the governor of the Territory purposely postponed the day of election to allow this emigration to arrive, and notified the Emigrant Aid Society and persons in the eastern States of the day of election before he gave notice to the people of Missouri and the Territory.

That these charges were industriously circulated; that grossly exaggerated statements were made in regard to them; that the newspaper press and leading men in public meetings in western Missouri (aided in one case by a chaplain of the United States army) gave currency and credit to them, and thus excited the people and induced many well-meaning citizens of Missouri to march into the Territory to meet and repel the alleged eastern paupers and abolitionists, is fully proven by many witnesses.

But neither of these charges is sustained by the proof.

In April, 1854, the general assembly of Massachusetts passed an act entitled "An act to incorporate the Massachusetts Emigrant Aid Society." The object of the society, as declared in the first section of this act, was "for the purpose of assisting emigrants to settle in the West." The nominal capital of the corporation was not to exceed five millions of dollars, but no more than four per cent. could be assessed during the year 1854, and no more than ten per cent. in any one year thereafter. No organization was perfected or proceedings had under this law.

On the 24th day of July, 1854, certain persons in Boston, Massachusetts, concluded articles of agreement and association for an Emigrant Aid Society. The purpose of this association was declared to be, "assisting emigrants to settle in the West." Under these articles

of association each stockholder was individually liable. To avoid this difficulty an application was made to the general assembly of Massachusetts for an act of incorporation, which was granted. On the 21st day of February, 1855, an act was passed to incorporate the New England Emigrant Aid Company. The purpose of this act was declared to be, "directing emigration westward, and aiding and providing accommodation after arriving at their place of destination." The capital stock of the corporation was not to exceed one million of dollars. Under this charter a company was organized.

Your committee have examined some of its officers, and a portion of its circulars and records, to ascertain what has been done by it. The public attention at the time of its formation was directed to the Territory of Kansas, and emigration naturally tended in that direction. To ascertain its character and resources, this company sent its agents into it, and the information thus obtained was published. The company made arrangements with various lines of transportation to lessen the expense of emigration into the Territory, and procured tickets at reduced rates. Applications were made to the company by persons desiring to emigrate; and when they were numerous enough to form a party of convenient size, tickets were sold to them at the reduced rates. An agent acquainted with the route was selected to accompany them. Their baggage was checked, and all trouble and danger of loss to the emigrant in this way avoided. Under these arrangements several companies went into the Territory in the fall of 1854, under the articles of association referred to. The company did not pay any portion of the fare, or furnish any personal or real property to the emigrant. The company, during 1855, sent into the Territory from eight to ten saw-mills; purchased one hotel in Kansas City, which they subsequently sold; built one hotel at Lawrence, and owned one other building in that place. They held no property of any other kind or description. They imposed no condition upon their emigrants, and did not inquire into their political, religious, or social opinions. The total amount expended by them, including the salaries of their agents and officers, and other expenses incident to all organizations, was less than one hundred thousand dollars.

Their purposes, as far as your committee can ascertain, were lawful, and contributed to supply those wants most experienced in the settlement of a new country.

The only persons who emigrated into the Territory under the auspices of this company in 1855, prior to the election in March, was a party of 169 persons, who came under the charge of Charles Robinson.⁽¹⁾

In this party there were sixty-seven women and children.⁽²⁾ They came as actual settlers, intending to make their homes in the Territory, and for no other purpose.⁽³⁾ They had about their persons but little baggage, usually sufficient clothing in a carpet-sack for a short time. Their personal effects, such as clothing, furniture, &c., were put into trunks and boxes, and, for convenience in selecting and

(1) Benjamin Slater, Charles Robinson.

(2) Charles Robinson.

(3) Samuel C. Smith.

cheapness in transporting, was marked "Kansas party baggage; care of B. Slater, St. Louis." Generally this was consigned as freight, in the ordinary way, to the care of a commission merchant. This party had, in addition to the usual allowance of one hundred pounds to each passenger, a large quantity of baggage, on which the respective owners paid the usual extra freight.(4) Each passenger or party paid his or their own expenses, and the only benefit they derived from this society, not shared by all the people of the Territory, was the reduction of about seven dollars in the price of the fare, the convenience of travelling in a company instead of alone, and the cheapness and facility of transporting their freight through regular agents. Subsequently many emigrants, being either disappointed with the country or its political condition, or deceived by the statements made by the newspapers, and by the agents of the society, became dissatisfied and returned, both before and after the election, to their old homes. Most of them are now settlers in the Territory.(5) Some few voted at the election in Lawrence,(5) but the number was small. The names of these emigrants have been ascertained, and thirty-seven of them are found upon the poll-books.(5 1/2.) This company of peaceful emigrants, moving with their household goods, was distorted into an invading horde of pauper abolitionists, who were, with others of a similar character, to control the domestic institutions of the Territory, and then overturn those of a neighboring State.

In regard to the second charge, there is no proof that any man was either hired, or induced to come into the Territory from any free State, merely to vote. The entire emigration in March, 1855, is estimated at 500 persons, including men, women, and children.(6) They came on steamboats up the Missouri river in the ordinary course of emigration. Many returned for causes similar to those before stated, but the body of them are now residents. The only persons, of those who were connected by proof with the election, were some who voted at the Big Blue precinct in the 10th district, and at Pawnee, in the 9th district. Their purpose and character are stated in a former part of this report.

The third charge is entirely groundless. The organic law requires the governor to cause an enumeration of the inhabitants and legal voters to be made, and that he apportion the members of the council and house according to this enumeration. For reasons stated by persons engaged in taking the census, it was not completed until the early part of March, 1855.(7) At that time the day of holding the election had not been and could not have been named by the governor. As soon as practicable after the returns were brought in, he issued his proclamation for an election, and named the earliest day consistent with due notice as the day of election. The day on which the election was to be held was a matter of conjecture all over the country, but it was generally known that it would be in the latter part of

(4) B. Slater.

(5) Charles Robinson, Samuel C. Smith.

(5 1/2) Anson J. Stone.

(6) W. H. Chick and Mr. Riddlestarger.

(7.) William Barbee.

March. The precise day was not known by any one until the proclamation issued. It was not known to the agents of the Emigrant Aid Society in Boston on the 13th day of March, 1855, when the party of emigrants before referred to left. (8)

Your committee are satisfied that these charges were made the mere pretexts to induce an armed invasion into the Territory as a means to control the election and establish slavery there.

The real purpose is avowed and illustrated by the testimony and conduct of Colonel John Scott, of St. Joseph's, Mo., who acted as an attorney for the sitting delegate before your committee. The following are extracts from his deposition :

"Prior to the election in Burr Oak precinct, in the 14th district, on the 29th of November, 1854, I had been a resident of Missouri, and I then determined, if I found it necessary, to become a resident of Kansas Territory. On the day previous to that election I settled up my board at my boarding-house in St. Joseph's, Mo., and went over to the Territory and took boarding with Mr. Bryant, near whose house the polls were held the next day, for one month, so that I might have it in my power, by merely determining to do so, to become a resident of the Territory on the day of election.

"When my name was proposed as a judge of election, objections were made by two persons only. * * * I then publicly informed those present that I had a claim in the Territory ; that I had taken board in the Territory for a month, and that I could at any moment become an actual resident and legal voter in the Territory ; and that I would do so if I concluded at any time during the day that my vote would be necessary to carry that precinct in favor of the pro-slavery candidate for delegate to Congress. * * * I did not during the day consider it necessary to become a resident of the Territory for the purpose mentioned, and did not vote or offer to vote at that election.

"I held the office of city attorney for St. Joseph's at that time, and had held it for two or three years previously, and continued to hold it until this spring. * * * I voted at an election in St. Joseph's in the spring of 1855, and was re-appointed city attorney. The question of slavery was put in issue at the election of November, 1854, to the same extent as in every election in this Territory. General Whitfield was regarded as the pro-slavery candidate by the pro-slavery party. I regarded the question of slavery as the primarily prominent issue at that election, and, so far as I know, all parties agreed in making that question the issue of that election.

"*It is my intention, and the intention of a great many other Missourians now resident in Missouri, whenever the slavery issue is to be determined upon by the people of this Territory in the adoption of the State constitution, to remove to this Territory in time to acquire the right to become legal voters upon that question. The leading purpose of our intended removal to the Territory, is to determine the domestic institutions of this Territory when it comes to be a State, and we would not come but for that purpose, and would never think of coming here*

(8) Charles Robinson, Anson J. Stone, and Eli Thayer.

but for that purpose. I believe there are a great many in Missouri who are so situated."

The invasion of March 30th left both parties in a state of excitement, tending directly to produce violence. The successful party was lawless and reckless, while assuming the name of the "Law and Order" party. The other party, at first surprised and confounded, was greatly irritated, and some resolved to prevent the success of the invasion. In some districts, as before stated, protests were sent to the governor; in others this was prevented by threats, in others by the want of time, and in others by the belief that a new election would bring a new invasion. About the same time, all classes of men commenced bearing deadly weapons about their persons—a practice which has continued to this time. Under these circumstances, a slight or accidental quarrel produced unusual violence, and lawless acts became frequent. This unhappy condition of the public mind was further increased by acts of violence in western Missouri, where, in April, a newspaper press called the Parkville Luminary was destroyed by a mob.

About the same time Malcolm Clark assaulted Cole McCrea at a squatter meeting in Leavenworth, and was shot by McCrea in alleged self-defence.

On the 17th day of May, William Phillips, a lawyer of Leavenworth, was first notified to leave, and upon his refusal was forcibly seized, taken across the river and carried several miles into Missouri, and then tarred and feathered, and one side of his head shaved, and other gross indignities put upon his person.

Previous to this outrage, a public meeting was held(10) at which resolutions were unanimously passed, looking to unlawful violence, and grossly intolerant in their character. The right of free speech upon the subject of slavery was characterized as a disturbance of the peace and quiet of the community, and as "circulating incendiary sentiments." They say "to the peculiar friends of northern fanatics, go home and vent your treason where you may find sympathy." Among other resolves is the following:

"Resolved, That the institution of slavery is known and recognised in this Territory; that we repel the doctrine that it is a moral and political evil, and we hurl back with scorn upon its slanderous authors the charge of inhumanity; and we warn all persons not to come to our peaceful firesides to slander us and sow the seeds of discord between the master and the servant; for, much as we deprecate the necessity to which we may be driven, we cannot be responsible for the consequences."

A committee of vigilance of thirty men was appointed "to observe and report all such persons as shall, * * * by the expression of abolition sentiments, produce disturbance to the quiet of the citizens, or danger to their domestic relations; and all such persons so offending shall be notified and made to leave the Territory."

The meeting was "ably and eloquently addressed by Judge Leconte, Col. L. N. Burns, of Weston, Missouri, and others." Thus the head of the judiciary in the Territory not only assisted at a public

(10) A. Payne.

and bitterly partizan meeting, whose direct tendency was to produce violence and disorder, but, before any law is passed in the Territory, he prejudices the character of the domestic institutions which the people of the Territory were, by their organic law, "left perfectly free to form and regulate in their own way."

On this committee were several of those who held certificates of election as members of the legislature. Some of the others were then, and still are, residents of Missouri, and many of the committee have since been appointed to the leading offices in the Territory, one of which is the sheriffalty of the county. Their first act was that of mobbing Phillips.

Subsequently, on the 25th of May, A. D. 1855, a public meeting was held, at which R. R. Rees, a member elect of the council, presided. (11) The following resolutions, offered by Judge Payne, a member elect of the House, were unanimously adopted:

"*Resolved, 1st.* That we heartily endorse the action of the committee of citizens that shaved, tarred and feathered, rode on a rail, and had sold by a negro, William Phillips, the moral perjurer.

"*2d.* That we return our thanks to the committee for faithfully performing the trust enjoined upon them by the pro-slavery party.

"*3d.* That the committee be now discharged.

"*4th.* That we severely condemn those pro-slavery men who, from mercenary motives, are calling upon the pro-slavery party to submit without further action.

"*5th.* That, in order to secure peace and harmony to the community, we now solemnly declare that the pro-slavery party will stand firmly by and carry out the resolutions reported by the committee appointed for that purpose on the 'memorable 30th.'"

The act of moral perjury here referred to is the swearing by Phillips to a truthful protest in regard to the election of March 30th in the 16th district.

LEGISLATIVE ASSEMBLY.

The members receiving their certificates of the governor as members of the General Assembly of the Territory met at Pawnee, the place appointed by the governor, on the 2d of July, A. D. 1855. Their proceedings are stated in three printed books, herewith submitted, entitled, respectively, "The Statutes of the Territory of Kansas;" "The Journal of the Council of the Territory of Kansas;" and "The Journal of the House of Representatives of the Territory of Kansas."

Your committee do not regard their enactments as valid laws. A legislature thus imposed upon a people cannot affect their political rights. Such an attempt, if successful, is virtually an overthrow of the organic law, and reduces the people of the Territory to the condition of vassals to a neighboring State. To avoid the evils of anarchy, no armed or organized resistance to them would have been made, but the citizens would have appealed to the ballot-box at future elections, to the federal judiciary, and to Congress, for relief. Such, from the proof, would have been the course of the people but for the nature of

(11) R. R. Rees.

these enactments and the manner in which they are enforced. Their character and their execution have been so intimately connected with one branch of this investigation—that relating to “violent and tumultuous proceedings in the Territory”—that we were compelled to examine them.

The “laws” in the statute-books are general and special; the latter are strictly of a local character, relating to bridges, roads, and the like. The great body of the general laws are exact transcripts from the Missouri code. To make them, in some cases, conform to the organic act, separate acts were passed defining the meaning of words. Thus, the word “State” is to be understood as meaning “Territory;”(1) the words “county court” “shall be construed to mean the board of commissioners transacting county business, or the probate courts, according to the intent thereof.” The words “circuit court” to mean “district court.”(2)

The material differences in the Missouri and Kansas statutes are upon the following subjects:

The qualifications of voters and of members of the Legislative Assembly; the official oath of all officers, attorneys, and voters; the mode of selecting officers, and their qualifications; the slave code, and the qualifications of jurors.

Upon these subjects the provisions of the Missouri code are such as are usual in many of the States. But, by the “Kansas Statutes” every officer in the Territory, executive and judicial, was to be appointed by the legislature, or by some officer appointed by it. These appointments were not merely to meet a temporary exigency, but were to hold over two regular elections, and until after the general election in October, 1857.(3) Thus, by the terms of these “laws” the people have no control whatever over either the legislative, the executive, or the judicial departments of the Territorial government, until a time, before which, by the natural progress of population, the Territorial government will be superseded by a State government.

No session of the legislature is to be held during 1856, but the members of the house are to be elected in October of that year.(4) A candidate to be eligible at this election must swear to support the Fugitive Slave law,(7) and each judge of election, and each voter, if challenged, must take the same oath.(8) The same oath is required of every officer elected or appointed in the Territory, and of every attorney admitted to practice in the courts.(9)

A portion of the militia is required to muster on the day of election.(10) “Every free white male citizen of the United States, and every free male Indian who is made a citizen by treaty or otherwise,

(1) Statutes, p. 718.

(2) Statutes, p. 766.

(3) Statutes, pp. 168, 227, 712.

(4) Statutes, p. 330.

(5) Statutes, p. 475.

(6) Statutes, p. 330.

(7) Statutes, p. 333.

(8) Statutes, p. 332.

(9) Statutes, pp. 132, 339, 516.

(10) Statutes, p. 469.

and over the age of twenty-one years, and who shall be an *inhabitant* of the Territory, and of the county and district in which he offers to vote, and shall have paid a Territorial tax, shall be a qualified elector for all elective officers." (11) Two classes of persons were thus excluded, who, by the organic act, were allowed to vote, viz: those who would not swear to the oath required, and those of foreign birth who had declared on oath their intention to become citizens. (12) Any man of proper age who was in the Territory on the day of election, and who had paid one dollar as a tax to the sheriff, who was required to be at the polls to receive it, (13) could vote as an "inhabitant," although he had breakfasted in Missouri, and intended to return there for supper. There can be no doubt that these unusual and unconstitutional provisions were inserted to prevent a full and fair expression of the popular will in the election of members of the house, or to control it by non-residents.

All jurors are required to be selected by the sheriff, and "no person who is conscientiously opposed to the holding of slaves, or who does not admit the right to hold slaves in the Territory, shall be a juror in any cause affecting the right to hold slaves, or relating to slave property."

The slave code, and every provision relating to slaves, are of a character intolerant and unusual, even for that class of legislation.

The character and conduct of the men appointed to hold office in the Territory, contributed very much to produce the events which followed. Thus, Samuel J. Jones was appointed sheriff of the county of Douglas, which included within it the first and second election districts. He had made himself peculiarly obnoxious to the settlers by his conduct on the 30th of March, in the second district, and by his burning the cabins of Joseph Oakley and Samuel Smith. (14)

THE ELECTION OF OCTOBER 1, 1855.

An election for delegate to Congress, to be held on the 1st day of October, 1855, was provided for under the same rules and regulations as were applied to other elections. The free-State men took no part in this election, having made arrangements for holding an election on the 9th of the same month. The citizens of Missouri attended at the election of the 1st of October, some paying the dollar tax, others not being required to pay it. They were present and voted at the voting places of Atchison (1) and Doniphan, (2) in Atchison county; at Green Springs, Johnson county; (3) at Willow Springs, (4) Franklin, (5) and Leecompton, (6) in Douglas county; at Fort Scott, Bourbon county; (7)

(11) Statutes, p. 332.

(12) Statutes, p. 34.

(13) Statutes, p. 333.

(14) Samuel Smith and Edward Oakley.

(1) D. W. Field.

(2) John Landis.

(3) Robert Morrow, G. Jenkins, B. C. Westfall.

(4) A. White, T. Wolverton, J. Eild.

(5) L. M. Cox, L. A. Prather.

(6) B. C. Westfall.

(7) E. B. Cook, J. Hamilton.

at Baptiste Paola, Lykins county, where some Indians voted, some whites paying the dollar tax for them; (8) at Leavenworth City (9) and at Kickapoo City, Leavenworth county; at the latter place under the lead of General B. F. Stringfellow and Colonel Lewis Burns, of Missouri. (10) From two of the election precincts at which it was alleged there was illegal voting, viz: Delaware and Wyandott, your committee failed to obtain the attendance of witnesses.

You committee did not deem it necessary, in regard to this election, to enter into details, as it was manifest that from there being but one candidate, General Whitfield, he must have received a majority of the votes cast. This election, therefore, depends not upon the number or character of the votes received, but upon the validity of the laws under which it was held. Sufficient testimony was taken to show that the voting of citizens of Missouri was practised at this election, as at all former elections in the Territory. The following table will exhibit the result of the testimony as regards the number of legal and illegal votes at this election.

The county of Marshall embraces the same territory as was included in the 11th district, and the reasons before stated indicate that the great majority of the votes there cast were either illegal or fictitious. In the counties to which our examination extended, there were 857 illegal votes cast, as near as the proof will enable us to determine.

Abstract of poll-books of October 1, 1855.

Counties.	Townships.	No. of votes cast for J. W. Whitfield.	Scattering.	Total votes cast.	No. of legal votes.	No. of illegal votes.
Atchison.....	Grasshopper.....	7				
	Shannon.....	131	4	219		
Bourbon.....		242		242	50	192
Brown.....		4		4	4	
Calhoun.....		29		29	29	
Davis.....		8	4	14	12	
Doniphan.....	Burr Oak.....	42			41	1
	Iowa.....	31			31	
	Wayne.....	66			62	4
	Washington.....	59			59	
	Wolf River.....	53		251	53	
Douglas.....	Franklin.....	86			23	63
	Lawrence.....	42			42	
	Lecompton.....	101				
	Willow Springs.....	103		332	53	50
Franklin.....		15		15	15	

(8) B. C. Westfall.

(9) G. F. Warren, H. Miles Moore.

(10) J. W. Stephens.

ABSTRACT—Continued.

Counties.	Townships.	No. of votes cast for J. W. Whitfield.	Scattering.	Total votes cast.	No. of legal votes.	No. of illegal votes.
Jefferson.....	.....	42	3	45	.....	.....
Johnson.....	.....	190	.....	190	90	100
Leavenworth.....	Alexandria.....	42	.....	.....	.....	.....
	Delaware.....	239	.....	.....	.....	.....
	Kickapoo.....	150	1	.....	.....	50
	Leavenworth.....	212	.....	.....	.....	100
	Wyandott.....	246	5	895	.....	.....
Lykens.....	.....	220	.....	220	70	150
Lynn.....	.....	67	.....	67	.....	.....
Madison.....	(See Wise county.)	.....	.....	.....	.....	.....
Marshall.....	.....	171	.....	171	24	147
Nemaha.....	.....	6	.....	6	6	.....
Riley.....	.....	28	.....	28	28	.....
Shawnee.....	One Hundred and Ten.....	23	.....	.....	23	.....
	Tecumseh.....	52	.....	75	52	.....
Wise.....	Council Grove.....	14	.....	14	14	.....

THE STATE MOVEMENTS.

While the alleged legislative assembly was in session, a movement was instituted to form a State government, and apply for admission into the Union as a State. The first step taken by the people of the Territory, in consequence of the invasion of March 30, 1855, was the circulation, for signature, of a graphic and truthful memorial to Congress. Your committee find that every allegation in this memorial has been sustained by the testimony. No further step was taken, as it was hoped that some action by the general government would protect them in their rights. When the alleged legislative assembly proceeded to construct the series of enactments referred to, the settlers were of opinion that submission to them would result in entirely depriving them of the rights secured to them by the organic law. Their political condition was freely discussed in the Territory during the summer of 1855. Several meetings were held in reference to holding a convention to form a State government, and to apply for admission into the Union as a State. Public opinion gradually settled in favor of such an application to the Congress to meet in December, 1855. The first general meeting was held in Lawrence, on the 15th of August, 1855. The following preamble and resolution were there passed:

"Whereas the people of Kansas have been since its settlement, and now are, without any law-making power, therefore be it

"Resolved, That we, the people of Kansas Territory, in mass meeting assembled, irrespective of party distinctions, influenced by com-

mon necessity, and greatly desirous of promoting the common good, do hereby call upon and request all *bona fide* citizens of Kansas Territory, of whatever political views or predilections, to consult together in their respective election districts, and in mass convention or otherwise elect three delegates for each representative to which said election district is entitled in the house of representatives of the legislative assembly, by proclamation of Governor Reeder of date 10th of March, 1855; said delegates to assemble in convention at the town of Topeka, on the 19th day of September, 1855, then and there to consider and determine upon all subjects of public interest, and particularly upon that having reference to the speedy formation of a State constitution, with an intention of an immediate application to be admitted as a State into the Union of the United States of America."

Other meetings were held in various parts of the Territory, which endorsed the action of the Lawrence meetings, and delegates were selected in compliance with its recommendations.

They met at Topeka on the 19th day of September, 1855. By their resolutions they provided for the appointment of an executive committee, to consist of seven persons, who were required to "keep a record of their proceedings, and shall have a general superintendence of the affairs of the Territory, so far as regards the organization of a State government." They were required to take steps for an election to be held on the second Tuesday of the October following, under regulations imposed by that convention "for members of a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government preparatory to the admission of Kansas into the Union as a State." The rules prescribed were such as usually govern elections in most of the States of the Union, and in most respects were similar to those contained in the proclamation of Governor Reeder for the election of March 30, 1855.

The executive committee appointed by that convention accepted their appointment, and entered upon the discharge of their duties by issuing a proclamation, addressed to the legal voters of Kansas, requesting them to meet at their several precincts at the time and places named in the proclamation, then and there to cast their ballots for members of a constitutional convention, to meet at Topeka on the 4th Tuesday of October then next.

The proclamation designated the places of elections, appointed judges, recited the qualifications of voters, and the appointment of members of the convention.

After this proclamation was issued public meetings were held in every district in the Territory, and in nearly every precinct. The State movement was a general topic of discussion throughout the Territory, and there was but little opposition exhibited to it. Elections were held at the time and places designated, and the returns were sent to the executive committee.

Table showing the number of voters, and the number of votes cast for delegates to the constitutional convention, October 9, 1855.

FIRST DISTRICT.

Candidates.	Precincts.			Total.
	Blanton.	Palmyra.	Lawrence.	
Charles Robinson	67	16		
J. H. Lane	70			
S. W. Smith	70	16		
J. K. Goodin	61	16		
Edward Jones	30	16		
Morris Hunt	72	16		
Abraham Still	40			
Total	74	16	558 ^o	648

^o The poll-books of Lawrence precinct were not among the others, and are either mislaid or lost. The number of votes cast was 558.

SECOND DISTRICT.

Candidates.	Precincts.		Total.
	Benicia.	Bloomington.	
A. Curtis	27	116	143
H. Benton	27	116	143
J. A. Wakefield	24	116	140
J. M. Turner	27	116	143
Total	27	116	143

THIRD DISTRICT.

Candidates.	Precincts.					Total.
	Tecumseh.	Camp Creek.	Topeka.	Washington.	Brownsville.	
W. Y. Roberts	31	7	94	33	19	184
C. K. Holliday	31	7	104	33	19	194
J. Cowles			14			14
H. H. Wentworth			12			12
Edward Segraves			2			2
Scattering			3			3
P. C. Schuyler					5	5
Total	31	7	119	33	24	214

FOURTH DISTRICT.

Candidates.	Precinct.	Total.
	Wilson Springs.	
S. Mewhinney.....	55	55
Wm. Graham.....	55	55
Total	55	55

FIFTH DISTRICT.

Candidates.	Precincts.									Total
	Big Sugar.	Pottawatomie.	Neosho.	Little Osage.	Oswatonic.	Little Sugar.	Stanton.	Alderman's.	Hampden.	
William Turner	24	49	8	16	67	32	35	8	33	272
Jas. M. Arthur.....	24	49	8	16	67	32	35	9	33	273
M. T. Morris.....	23	49	8	16	66	32	35	9	33	272
Orville C. Brown	24	49	.....	16	66	32	35	.....	33	255
Richard Knight	24	49	.....	16	67	32	35	.....	33	257
Hamilton Smith	23	48	.....	16	66	32	35	.....	.....	229
Hiram Hoover	17	.....	13	.....	.....	.....	.....	13	.....	43
David C. Forbes.....	.....	.....	.....	16	.....	.....	.....	.....	.....	16
N. S. Nichols .....	.....	.....	.....	.....	3	.....	.....	.....	.....	3
Wm. S. Nichols .....	.....	.....	.....	.....	64	.....	7	.....	.....	76
Isaac Woollard .....	.....	.....	.....	.....	.....	.....	29	.....	.....	29
Fred. Brown	24	47	.....	16	64	32	35	.....	33	251
Total.....	24	49	13	16	67	32	35	13	33	282

SIXTH DISTRICT.

Candidates.	Precincts.			Total.
	House of R. J. Fargird.	Scott Town.	Columbia.	
W. R. Griffin.....	12			12
John Hamilton.....	12	27		39
A. W. J. Brown.....	12			12
Wm. Saunders.....	12			12
W. J. Griffith.....		27		27
T. H. Burgess.....		24		24
A. H. Brown.....		26		26
Jas. H. Pheris.....			20	20
Total.....	12	27	20	59

SEVENTH DISTRICT.

Candidate.	Precinct.	Total.
	J. B. Titus', Council City.	
Ph. C. Schuyler.....	60	60
Total.....	62	62

EIGHTH DISTRICT.

Candidates.	Precinct.	Total.
	Waubunassa.	
J. H. Pillsbury.....	27	27
P. C. Schuyler.....	27	27
Total.....	27	27

NINTH DISTRICT.

Candidates.	Precinct.	Total.
	Pawnee.	
Robert Klotz.....	53	53
A. Hunting.....	54	54
Total.....	76	76

TENTH DISTRICT.

Candidates.	Precincts.		Total.
	Rock Creek.	Big Blue.	
Dr. A. Hunting	30	64	94
Robert Klotz	30	73	103
Total.....	30	80	110

ELEVENTH DISTRICT.

No return except Black Vermillion precinct—total, 14.

TWELFTH DISTRICT.

Candidates.	Precincts.		Total.
	St. Mary's.	Silver lake.	
M. F. Conway	19	12	31
Jos. F. Coles.....		18	18
J. S. Thompson		21	21
Total.....	19	21	40

THIRTEENTH DISTRICT.

Candidates.	Precincts.		Total.
	Falls.	Pleasant Hill.	
Geo. S. Hillyer	43	-----	43
Wm. Grigsbee	41	-----	41
Wm. Hicks	-----	43	43
J. Whiting	-----	43	43
Total.....	43	43	86

FOURTEENTH DISTRICT.

Candidates.	Precincts.				Total.
	Palermo.	Burr Oak.	Doniphan.	Wolf River.	
G. A. Cutler	40	33	42	18	133
Jno. Landes	40	33	42	18	133
D. M. Field	40	33	42	18	133
C. M. Stewart	39	33	42	18	132
Total.....	40	33	42	18	133

FIFTEENTH DISTRICT.

Candidates.	Precincts.		Total.
	Crosby's Store.	Precinct.	
Caleb May	29	-----	29
R. H. Crosby	29	-----	29
Stanford McDaniel	-----	30	30
Jas. S. Sayle	-----	30	30
H. B. Gale	-----	28	28
Ch. S. Foster	-----	2	2
Total.....	29	30	59

SIXTEENTH DISTRICT.

Candidates.	Precincts.					Total.
	Leavenworth.	Wyandott.	Ridge.	Easton.	Delaware.	
M. J. Parrott.....	492	38	47	61	22	660
M. W. Delahay.....	495	38	47	61	22	663
Matt. France.....	493	38	47	61	22	661
S. W. Lattie.....	493	38	47	61	22	661
Robert Hiddle.....	493	38	47	61	22	661
D. Dodge.....	493	38	47	61	22	661
Total.....	514	38	47	63	22	684

SEVENTEENTH DISTRICT.

Candidates.	Precincts.		Total.
	Mission.	Wakarusa.	
William Graham.....	13	5	18
Samuel Mewhinney.....	13	5	18
Total.....	13	5	18

RECAPITULATION.

Votes cast in first district.....	648	Votes cast in eleventh district.....	14
second district.....	113	twelfth district.....	40
third district.....	214	thirteenth district.....	86
fourth district.....	55	fourteenth district.....	133
fifth district.....	282	fifteenth district.....	59
sixth district.....	69	sixteenth district.....	684
seventh district.....	62	seventeenth district.....	18
eighth district.....	27		
ninth district.....	76	Total.....	2,710
tenth district.....	110		

The result of the election was proclaimed by the executive committee, and the members elect were required to meet on the 23d day of October, 1855, at Topeka. In pursuance of this proclamation and direction the constitutional convention met at the time and place appointed, and framed a State constitution. A memorial to Congress was also prepared, praying the admission of Kansas into the Union as a State under that constitution. The convention also provided that the question of the adoption of the constitution, and other questions, be submitted to the people, and required the executive committee to take the necessary steps for that purpose.

Accordingly an election was held for that purpose on the 15th day of December, 1855, in compliance with the proclamation issued by the

executive committee. The returns of this election were made by the executive committee, and an abstract of them is contained in the following table:

Abstract of the election on the adoption of the State Constitution, December 15, 1855.

Districts.	Precincts.	Constitution	No Constitution.	General banking law.		Exclusion of negroes and mulattoes.		No. of votes cast.
				Yes.	No.	Yes.	No.	
1	Lawrence	348	1	225	83	133	223	356
	Blanton	72	2	59	14	48	20	76
	Palmyra	11		9	3	12		12
2	Franklin	48		31	15	48	2	53
	Bloomington	137		122	11	113	15	137
	East Douglas	18		13	4	14	4	18
3	Topeka	135		125	9	69	64	136
	Washington	42		41	1	42		42
	Brownsville	24		22	2	22	2	24
4	Tecumseh	35		23	11	35		35
	Prairie City	72		39	33	69	3	72
	Little Osage	21	7	16	12	23	7	31
5	Big Sugar	18	2	5	16	20		21
	Neosho	12		6	6	12		12
	Pottawatomie	39	3	21	19	25	18	43
7	Little Sugar	42	18	33	13	42	2	60
	Stanton	32		4	33	33	5	37
	Osawatomie	56	1	33	20	38	17	59
8	Titus	39	5	32	7	25	15	44
	Juniata	30		23	6	10	19	31
	Ohio City	21		16	5	20	1	21
9	Mill Creek	20			20	20		20
	St. Mary's	14			14	14		14
	Waubousa	19		17	1	7	11	19
10	Pawnee	45		15	29	40	5	45
	Grasshopper Falls	54		19	34	50	3	54
	Doniphan	22	2	5	14	21		22
11	Burr Oak	23		7	16	22	1	23
	Jesse Padons'	12		1	11	12		12
	Oreana	28		8	20	28		28
13	Kickapoo	20		7	13	16	4	20
	Pleasant Hill	47		37	6	45	1	47
	Indianola	19			18	19		19
14	Whitfield	7		3	4	6		7
	Wolf River	24		11	12	18	6	
	St. Joseph's Bottom	15		4	9	14	1	15
15	Mount Pleasant	32		32	1	30	2	33
16	Easton	71	2	53	19	71		73
17	Mission	7		3		1	2	7
Total		1,731	46	1,120	564	1,287	453	1,778

NOTE.—The poll-book at Leavenworth was destroyed. The vote cast there October 9, 1855, was 514.

ELECTION OF JANUARY 15, 1856.

The executive committee then issued a proclamation reciting the results of the election of the 15th of December, and at the same time provided for an election to be held on the 15th day of January, 1856, for State officers and members of the general assembly of the State of Kansas. The election was accordingly held in the several election precincts, the returns of which were sent to the executive committee. An abstract of them is contained in the following table.

Election of January 15, 1856.

Precincts.	Governor.		Lt. governor.		Sec. of State.		Auditor.		Treasurer.		Atty genl.	Supreme Judges.						Rep. S. court.		Clerk S. Ct.	Printer.	Rep. to Cong.	
	C. Robinson.	W. V. Roberts.	W. V. Roberts.	M. J. Parrott.	P. C. Schuyler.	C. K. Holiday.	G. A. Cutler.	W. B. Griffith.	J. A. Wakefield.	E. C. R. Garvey.		H. Miles Moore.	M. Hunt.	S. N. Latta.	M. F. Conway.	G. W. Smith.	S. W. Johnson.	J. A. Wakefield.	S. R. McKenzie.				E. M. Thurston.	S. B. Floyd.	John Speer.	R. G. Elliott.
Washington.....	1	20	32	65	1	29	1	26	1	36	30	3	1	59	29	27	22	1	30	1	95	30	M. W. Delaney.
Doniphan.....	32	80	82	19	19	19	19	19	19	19	81	31	81	31	81	81	81	81	32	32	32	82	32
Osawatomie.....	82	19	19	19	19	19	19	19	19	19	81	31	81	31	81	81	81	81	32	32	32	82	32
Oange.....	19	19	19	19	19	19	19	19	19	19	81	31	81	31	81	81	81	81	32	32	32	82	32
Easton.....	6	86	7	66	7	66	68	7	64	8	75	66	73	65	7	7	7	66	76	70	7	73	73
Burr Oak.....	24	94	94	94	94	94	94	94	94	94	94	24	94	94	94	94	94	24	94	94	94	94	94
St. Joseph's Bottom.....	49	1	49	50	50	50	49	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50
Padon's House.....	27	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36	36
Wolf River.....	36	3	36	3	36	3	36	3	36	3	36	3	36	3	36	3	36	3	36	3	36	3	36
East Douglas.....	39	3	39	3	39	3	39	3	39	3	39	3	39	3	39	3	39	3	39	3	39	3	39
Stanton.....	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31	31
Pottawatomie.....	39	39	39	39	39	39	39	39	39	39	39	39	39	39	39	39	39	39	39	39	39	39	39
Tiute.....	4	28	4	28	4	28	4	28	4	28	4	28	4	28	4	28	4	28	4	28	4	28	4
Blanton.....	25	42	25	42	25	42	25	42	25	42	25	42	25	42	25	42	25	42	25	42	25	42	25
Prairie City.....	24	25	24	25	24	25	24	25	24	25	24	25	24	25	24	25	24	25	24	25	24	25	24
Pleasant Hill.....	42	2	42	2	42	2	42	2	42	2	42	2	42	2	42	2	42	2	42	2	42	2	42
Missouri.....	10	1	10	1	10	1	10	1	10	1	10	1	10	1	10	1	10	1	10	1	10	1	10
Palmyra.....	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25
Franklin.....	5	58	5	58	5	58	5	58	5	58	5	58	5	58	5	58	5	58	5	58	5	58	5
Little Sugar Creek.....	23	19	23	19	23	19	23	19	23	19	23	19	23	19	23	19	23	19	23	19	23	19	23
Little Osage Creek.....	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19	19
Turkey.....	21	61	21	61	21	61	21	61	21	61	21	61	21	61	21	61	21	61	21	61	21	61	21
Topinka.....	2	21	2	21	2	21	2	21	2	21	2	21	2	21	2	21	2	21	2	21	2	21	2
Richmond.....	1	93	1	93	1	93	1	93	1	93	1	93	1	93	1	93	1	93	1	93	1	93	1
Richmond.....	1	93	1	93	1	93	1	93	1	93	1	93	1	93	1	93	1	93	1	93	1	93	1
Kearneyville.....	14	51	14	51	14	51	14	51	14	51	14	51	14	51	14	51	14	51	14	51	14	51	14
Lawrence.....	94	7	94	7	94	7	94	7	94	7	94	7	94	7	94	7	94	7	94	7	94	7	94
Lawrence.....	365	41	365	41	365	41	365	41	365	41	365	41	365	41	365	41	365	41	365	41	365	41	365
Neosho.....	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14	14
Stough Creek.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Wyandott.....	1295	410	1295	410	1295	410	1295	410	1295	410	1295	410	1295	410	1295	410	1295	410	1295	410	1295	410	1295

• Anthony Floyd.

The result of this election was announced by a proclamation by the executive committee.

In accordance with the constitution thus adopted, the members of the State legislature, and most of the State officers, were on the day and at the place designated by the State constitution, and took the oath therein prescribed. After electing United States senators, passing some preliminary laws, and appointing a codifying committee, and preparing a memorial to Congress, the general assembly adjourned to meet on the 4th day of July, 1856. The laws passed were all conditional upon the admission of Kansas as a State into the Union. These proceedings were regular, and, in the opinion of your committee, the constitution thus adopted fairly expresses the will of the majority of the settlers. They now await the action of Congress upon their memorial.

These elections were not illegal. Whether the result of them is sanctioned by the action of Congress, or they are regarded as the mere expression of popular will, and Congress should refuse to grant the prayer of the memorial, that cannot affect their legality. The right of the people to assemble and express their political opinion in any form, whether by means of an election or a convention, is secured to them by the constitution of the United States. Even if the elections are to be regarded as the act of a party, whether political or otherwise, they were proper, and in accordance with examples in both States and Territories.

The elections, however, were preceded and followed by acts of violence on the part of those who opposed them, and those persons who approved and sustained the invasion from Missouri were peculiarly hostile to these peaceful movements preliminary to the organization of a State government. Instances of this violence will be referred to hereafter.

To provide for the election of delegates to Congress, and at the same time do it in such a manner as to obtain the judgment of the House of Representatives upon the validity of the alleged legislative assembly, sitting at Shawnee Mission, a convention was held at Big Springs on the 5th and 6th days of September, 1855. This was a party convention, and a party calling itself the free-State party was then organized. It was in no way connected with the State movement, except that the election of delegate to Congress was fixed by it on the same day as the election of members of a constitutional convention, instead of the day prescribed by the alleged legislative assembly. Andrew H. Reeder was put in nomination as Territorial delegate to Congress, and an election was provided for under the regulations prescribed for the election of March 30, 1855, excepting as to the appointment of officers and the persons to whom returns of the elections should be made. The election was held in accordance with these regulations, an abstract of the returns of which is contained in the following table.

Abstract of the election of A. H. Reeder.

Name of district.	Name of voting place.	Number of votes.
First district.....	Lawrence	557
	Blanton	77
	Palmyra	16
Second district.....	Bloomington	116
	Benicia	27
Third district.....	Brownsville	24
	Topeka	131
	Tecumseh	31
	Big Springs	35
Fourth district.....	Camp Creek	7
	Willow Springs	54
Fifth district	Hampton	33
	Neosho	16
	Stanton	44
	Ossawatimie	74
	Pottawatomie	56
	Big Sugar Creek	28
	Little Sugar Creek	41
	Scott-town	27
	Columbia	20
	Fuqua's	12
Seventh district.....	Council City	62
Eighth district.....	Waubesa	26
	A. J. Baker's	16
Ninth district.....	Pawnee	76
Tenth district.....	Big Blue	77
	Rock Creek	30
Eleventh district.....	Black Vermillion	14
Twelfth district	St. Mary's	19
	Silver Lake	28
	Pleasant Hill	43
	Falls Precinct	45
Thirteenth district	Hickory Point	11
	Burr Oak	33
	Doniphan	43
	Palermo	32
	Wolf River	17
Fifteenth district.....	Oceana	32
	Crosby's Store	39
	Jackson Crane's	30
Sixteenth district	Leavenworth	503
	Wyandott	38
	Delaware	22
	Easton	63
Seventeenth district	Ridge Point	48
	Wakarusa	7
Eighteenth district	Mission	13
	Iowa Point	40
	Moorstown	16
	Total	2,849

The resolutions passed by the convention which nominated Governor Reeder, indicate the state of feeling which existed in the Territory in consequence of the invasion from Missouri and the enactments of the alleged legislative assembly. The language of some of the

resolutions is violent, and can only be justified in consequence of the attempt to enforce the grossest acts of tyranny, and for the purpose of guarding against a similar invasion in future.

In the fall of 1855, there sprang out of the existing disorder and excitement in the Territory two secret free-State societies.(1) They were defensive in their character, and were designed to form a protection to their members against unlawful acts of violence and insult. One of those societies was purely of a local character, and was confined to the town of Lawrence. Very shortly after its organization it produced its desired effect, and then went out of use and ceased to exist.(2) Both societies were cumbersome, and were of no utility except to give confidence to free-State men, and enable them to know and aid each other in contemplated danger. So far as the evidence shows, they led to no act of violence or resistance to either real or alleged laws.(3)

On the 21st day of November, 1855, F. M. Coleman, a pro-slavery man, and Charles W. Dow, a free-State man, had a dispute about the division line between their respective claims. Several hours afterwards, as Dow was passing from a blacksmith's shop towards his claim, and by the cabin of Coleman, the latter shot Dow with a double-barreled shot-gun loaded with slugs. Dow was unarmed. He fell across the road, and died immediately. This was about one o'clock p. m. His dead body was allowed to lie where it fell until after sundown, when it was conveyed by Jacob Branson to his house, at which Dow had boarded. The testimony in regard to this homicide is voluminous,(4) and shows clearly that it was a deliberate murder by Coleman, and that Harrison Buckley and a Mr. Hargous were accessories to it. The excitement caused by it was very great among all classes of the settlers. On the 26th a large meeting of citizens was held at the place where the murder was committed, and resolutions passed that Coleman should be brought to justice.(5) In the mean time Coleman had gone to Missouri, and then to Governor Shannon at Shawnee Mission, in Johnston county. He was there taken into custody by S. J. Jones, then acting as sheriff. No warrant was issued or examination had. On the day of the meeting at Hickory Point, Harrison Buckley procured a peace warrant against Jacob Branson, which was placed in the hands of Jones. That same evening, after Branson had gone to bed, Jones came to his cabin with a party of about 25 persons, among whom were Hargous and Buckley, burst open the door, and found Branson in bed. He drew his pistol, cocked it, and presented it to Branson's breast, and said: "You are my prisoner, and if you move I will blow you through." The others cocked their guns and gathered round him, and took him prisoner. They all mounted and went to Buckley's house. After a time, they went on by a circuitous route towards Blanton's bridge, stopping to

(1) Pat Laughlin, Dr. Francis, A. H. Reeder, and M. F. Conway.

(2) G. P. Lowrey and A. H. Reeder.

(3) G. P. Lowrey.

(4) Wm. J. Nichols, W. McKinney, D. T. Jones and wife, Thomas Brown, F. M. Coleman, and others.

(5) W. McKinney.

"drink" on the way. As they approached the bridge there were 13 in the party, several having stopped. Jones rode up to the prisoner, and among other things told him that he "had heard there were 100 men at your house to-day," and "that he regretted they were not there, and that they were cheated out of their sport." (6) In the mean time the alarm had been given in the neighborhood of Branson's arrest, and several of the settlers, among whom were some who had attended the meeting at Hickory Point that day, gathered together. They were greatly excited. The alleged injustice of such an arrest of a quiet settler, under a peace warrant, by "sheriff Jones," aided by two men believed to be accessory to a murder, and who were allowed to be at large, exasperated them, and they proceeded as rapidly as possible by a nearer route than that taken by Jones, and stopped at the house of J. S. Abbott, one of them. They were on foot. As Jones's party approached on a canter, the rescuers suddenly formed across the road in front of Jones and his party. Jones halted and asked: "What's up?" The reply was: "That's what we want to know; what's up?" Branson said: "They have got me a prisoner." Some one in the rescuing party told him to come over to their side. He did so, and dismounted, and the mule he rode was driven over to Jones's party. Jones then left. (7) Of the persons engaged in this rescue, three were from Lawrence, and had attended the meeting. Your committee have deemed it proper to detail the particulars of this rescue, as it was made the ground-work of what is known as the "Wakarusa war." On the same night of the rescue the cabins of Coleman and Buckley were burned, but by whom is left in doubt by the testimony.

On the morning after the rescue of Branson, Jones was at the village of Franklin, near Lawrence. The rescue was spoken of in the presence of Jones, and some conversation passed between two others in his presence, as to whether it was most proper to send for assistance to Col. Boone, in Missouri, or to Gen. Shannon. Jones wrote a despatch and handed it to a messenger. As soon as he started, Jones said: "That man is taking my despatch to Missouri, and, by God, I will have revenge before I see Missouri." A person present, who was examined as a witness, (8) complained publicly that the despatch was not sent to the governor, and within half an hour one was sent to the governor by Jones through Horgous.

Within a few days large numbers of men from the State of Missouri gathered and encamped on the Wakarusa. They brought with them all the equipments of war. To obtain them, a party of men, under the direction of Judge J. T. V. Thompson, broke into the United States arsenal and armory at Liberty, Missouri, and after a forcible detention of Captain Leonard, then in charge, (9) they took the cannon, muskets, rifles, powder, hammers, and, indeed, all the materials and munitions of war they desired, some of which have never been returned or accounted for.

(6) Jacob Branson.

(7) Jacob Branson.

(8) L. A. Prather.

(9) Luther Leonard.

The chief hostility of this military foray was against the town of Lawrence; and this was especially the case with the officers of the law.

Your committee can see in the testimony no reason, excuse, or palliation for this feeling.

Up to this time no warrant or process of any kind had been in the hands of any officer against any citizen of Lawrence.(10) No arrest had been attempted, and no writ resisted in that town. The rescue of Branson sprang out of a murder committed thirteen miles from Lawrence, in a detached settlement, and neither the town nor its citizens extended any protection to Branson's rescuers.(11) On the contrary, two or three days after the rescue, S. N. Wood, who claimed publicly to be one of the rescuing party, wished to be arrested for the purpose of testing the Territorial laws, and walked up to sheriff Jones and shook hands with him, and exchanged other courtesies. He could have been arrested without any difficulty; and it was his design, when he went to Mr. Jones, to be arrested, but no offer or attempt was made to do so.(12)

It is obvious that the only cause of this hostility is the known desire of the citizens of Lawrence to make Kansas a free State, and their repugnance to laws imposed upon them by non-residents.

Your committee do not propose to detail the incidents connected with this foray. Fortunately for the peace of the county, a direct conflict between the opposing forces was avoided by an amicable arrangement. The losses sustained by the settlers in property taken, and time and money expended in their own defence, added much to the trials incident to a new settlement. Many persons were unlawfully taken and detained, in some cases under circumstances of gross cruelty. This was especially so in the arrest and treatment of Dr. G. A. Cutler and G. F. Warren. They were taken without cause or warrant, sixty miles from Lawrence, and when Dr. Cutler was quite sick. They were compelled to go to the camp at Leecompton, and were put into the custody of sheriff Jones, who had no process to arrest them. They were taken into a small room, kept as a liquor shop, which was open and very cold. That night Jones came in with others and went to "playing poker at twenty-five cents ante." The prisoners were obliged to sit up all night, as there was no room to lie down when the men were playing. Jones insulted them frequently, and told one of them he must either "tell or swing." The guard then objected to this treatment of prisoners, and Jones desisted. G. F. Warren thus describes their subsequent conduct:

"They then carried us down to their camp. Kelly, of the squatter sovereign, who lives in Atchison, came round and said he thirsted for blood, and said he should like to hang us on the first tree. Cutler was very weak, and that excited him so that he became delirious. They sent for three doctors, who came. Dr. Stringfellow was one of them. They remained there with Cutler till after midnight, and then took him up to the office, as it was very cold in camp."

(10) Wilson Shannon, Charles Robinson.

(11) G. P. Lowrey, Charles Robinson.

(12) Charles Robinson.

During the foray either George W. Clark or Mr. Burns murdered Thomas Barber, while the latter was in the highway, on his road from Lawrence to his claim. Both fired at him, and it is impossible, from the proof, to tell whose shot was fatal. The details of this homicide are stated by eye-witnesses.(13)

Among the many acts of lawless violence which it has been the duty of your committee to investigate, this invasion of Lawrence is the most defenceless. A comparison of the facts proven with the official statements of the officers of the government will show how groundless were the pretexts which gave rise to it. A community in which no crime had been committed by any of its members, against none of whom had a warrant been issued or a complaint made, who had resisted no process in the hands of a real or pretended officer, was threatened with destruction in the name of "law and order," and that, too, by men who marched from a neighboring State with arms obtained by force, and who at every stage of their progress violated many laws, and among others the constitution of the United States.(14)

The chief guilt must rest on Samuel J. Jones. His character is illustrated by his language at Leecompton, where peace was made. He said Major Clark and Burns both claimed the credit of killing that damned abolitionist, and he didn't know which ought to have it. If Shannon hadn't been a damned old fool, peace would never have been declared. He would have wiped Lawrence out. He had men and means enough to do it.(15)

Shortly after the retreat of the forces from before Lawrence, the election upon the adoption of the State constitution was held at Leavenworth city, on the 15th of December, 1855. While it was proceeding quietly, about noon, Charles Dunn, with a party of others, smashed in the window of the building in which the election was being held, and they jumped into the room where the judges of election were sitting and drove them off.(16)

One of the clerks of election snatched up the ballot-box and followed the judges, throwing the box behind the counter of an adjoining room, through which he passed on his way out. As he got to the street-door, Dunn caught him by the throat and pushed him up against the outside of the building, and demanded the ballot-box.(17) Then Dunn and another person struck him in the face, and he fell into the mud; the crowd rushed on him, and kicked him on the head and in his side.(18) In this manner the election was broken up, Dunn and his party obtaining the ballot-box and carrying it off.

To avoid a similar outrage at the election for State officers, &c., to be held on the 15th of January, 1856, the election for Leavenworth district was appointed to be held at Easton, and the time postponed until the 17th day of February, 1856.(19) On the way to the elec-

(13) Robert T. Barber, Thomas W. Parson, Jane W. Colborn, and others.

(14) Article four of the amendments.

(15) Harrison Nichols.

(16) George Wetherell, George H. Keller.

(17) George Wetherell.

(18) George Wetherell, George W. Hollis.

(19) J. C. Green, Henry G. Adams, Joseph H. Reed

tion persons were stopped by a party of men at a grocery, and their guns taken from them. During the afternoon parties came up to the place of election and threatened to destroy the ballot-box, and were guilty of other insolent and abusive conduct.(20) After the polls were closed, many of the settlers being apprehensive of an attack, remained in the house where the election had been held, until the next morning. Late that night Stephen Sparks, with his son and nephew, started for home, his route running by the store of a Mr. Dawson, where a large party of armed men had collected. As he approached, these men demanded that he should surrender, and gathered around him to enforce the demand.(21) Information was carried by a man in the company of Mr. Sparks to the house where the election had been held. R. P. Brown and a company of men immediately went down to relieve Mr. Sparks, and did relieve him, when he was in imminent danger.(22) Mr. Sparks then started back with Mr. Brown and his party, and while on their way they were fired upon by the other party. They returned the fire, and an irregular fight then ensued, in which a man by the name of Cook, of the pro-slavery party, received a mortal wound, and two of the free-State party were slightly wounded.

Mr. Brown, with seven others who had accompanied him from Leavenworth, started on their return home. When they had proceeded a part of their way, they were stopped and taken prisoners by a party of men called the "Kickapoo Rangers," under the command of Captain John W. Martin. They were disarmed and taken back to Easton, and put in Dawson's store.(23) Brown was separated from the rest of his party and taken into the office of Dr. E. S. Motter.(24) By this time several of Martin's party, and some of the citizens of the place, had become intoxicated, and expressed a determination to kill Brown.(25) Captain Martin was desirous to, and did do all in his power to save him. Several hours were spent in discussing what should be done with Brown and his party. In the mean time, without the knowledge of his party, Captain Martin liberated all of Brown's party but himself, and aided them in their escape.(26) The crowd repeatedly tried to get in the room where Brown was, and at one time succeeded, but were put out by Martin and others. Martin finding that further effort on his part to save Brown was useless, left and went home. The crowd then got possession of Brown, and finally butchered him in cold blood. The wound of which he died was inflicted with a hatchet by a man of the name of Gibson. After he had been mortally wounded, Brown was sent home with Charles Dunn, and died that night. No attempt was made to arrest or punish the murderers of Brown. Many of them were well known citizens, and some of them were officers of the law. On the next grand jury, which sat in Leavenworth county, the sheriff summoned several

(20 and 21) Stephen Sparks.

(22) George A. Taylor, Stephen Sparks, J. H. Bird.

(23) Henry J. Adams, George A. Taylor, M. P. Rively, John W. Martin, Wiley Williams.

(24) Henry J. Adams, J. W. Martin.

(25) Wiley Williams, J. W. Martin, H. J. Adams.

(26) H. J. Adams, G. A. Taylor, J. H. Bird, W. Williams.

of the persons implicated in this murder.(27) One of them was M. P. Rively, at that time treasurer of the county. He has been examined as a witness before us. The reason he gives why no indictments were found is, "they killed one of the pro-slavery men, and the pro-slavery men killed one of the others, and I thought it was about mutual." The same grand jury, however, found bills of indictment against those who acted as judges of the free-State election. Rively says: "I know our utmost endeavors were made to find out who acted as judges and clerks of the election of the 17th of January last, and at all the bogus elections held by the abolitionists here. We were very anxious to find them out, as we thought they acted illegally."

Your committee in their examinations have found that in no case of crime or homicide mentioned in this report, or in the testimony, has any indictment been found against the guilty party, except in the homicide of Clark by McCrea; McCrea being a free-State man.

Your committee did not deem it within their power or duty to take testimony as to events which have transpired since the date of their appointment; but as some of these events tended seriously to embarrass, hinder, and delay their investigations, they deem it proper here to refer to them. On their arrival in the Territory, the people were arrayed in two hostile parties. Their hostility continually increased during our stay in the Territory, by the arrival of armed bodies of men, who from their equipments came not to follow the peaceful pursuits of life, but armed and organized into companies apparently for war, by the unlawful detention of persons and property while passing through the State of Missouri, and by frequent forcible seizures of persons and property in the Territory without legal warrant. Your committee regret that they were compelled to witness instances of each of those classes of outrages. While holding their session at Westport they saw several bodies of armed men, confessedly citizens of Missouri, march into the Territory on forays against its citizens, but under the pretence of enforcing the enactments before referred to. The wagons of emigrants were stopped in the highways, searched without claim of legal process, and in some instances all their property taken from them. In Leavenworth city, leading citizens were arrested at noon-day in presence of members of your committee, by an armed force, without any claim of authority, except that derived from a self-constituted committee of vigilance, many of whom were legislative and executive officers. Some were released on promising to leave the Territory; and others, after being detained for a time, were formally notified to leave, under the severest penalties.

The only offence charged against them was their political opinions, and no one was thus arrested for alleged crime of any grade.

Resistance to these lawless acts was not made by the settlers, because, in their opinion, the persons engaged in them would have been sustained and reinforced by the citizens of the populous border counties of Missouri, from whence they were only separated by the

(27) M. P. Rively.

river. In one case witnessed by one of your committee, an application for the writ of habeas corpus was prevented by the urgent solicitation of pro-slavery men, who insisted that it would endanger the life of the prisoner to be discharged under legal process.

While we remained in the Territory, repeated acts of outrage were committed upon quiet, unoffending citizens, of which we received authentic intelligence. Men were attacked in the highway, robbed, and subsequently imprisoned; others were seized and searched, and their weapons of defence taken from them without compensation. Horses were frequently taken and appropriated. Oxen were taken from the yoke while ploughing, and butchered in the presence of their owners. One young man was seized in the streets of the town of Atchison, and, under circumstances of gross barbarity, was tarred and cottoned, and in that condition was sent to his family. All the provisions of the constitution of the United States securing persons and property were utterly disregarded. The officers of the law, instead of protecting the people, in some instances were engaged in these outrages, and in no instance did we learn that any man was arrested, indicted, or punished for any of these crimes. While such offences were committed with impunity, the laws were used as a means of indicting men for holding elections preliminary to framing a constitution, and applying for admission into the Union as the State of Kansas. Charges of high treason were made against prominent citizens upon grounds which seem to your committee absurd and ridiculous; and under these charges they are now held in custody, and are refused the privilege of bail. In several cases men were arrested in the State of Missouri while passing on their lawful business through that State, and detained until indictments could be found in the Territory.

These proceedings were followed by an offence of still greater magnitude. Under color of legal process, a company of about 700 armed men, the great body of whom your committee are satisfied were not citizens of the Territory, were marched into the town of Lawrence, under marshal Donaldson and sheriff Jones, officers claiming to act under the law, and then bombarded and burned to the ground a valuable hotel and one private house, destroyed two printing-presses and material, and then, being released by the officers whose posse they claimed to be, proceeded to sack, pillage, and rob houses, stores, trunks, &c., even to the clothing of women and children. Some letters thus unlawfully taken were private ones, written by the contesting delegate, and they were offered in evidence. Your committee did not deem that the persons holding them had any right thus to use them, and refused to be made the instruments to report private letters thus obtained.

This force was not resisted because it was collected and marshalled under the forms of law. But this act of barbarity, unexampled in the history of our government, was followed by its natural consequences. All the restraints which American citizens are accustomed to pay, even to the appearance of law, were thrown off. One act of violence led to another; homicides became frequent. A party, under H. C. Pate, composed chiefly of citizens of Missouri, were taken prisoners by a party of settlers, and while your committee were at Westport, a com-

pany, chiefly of Missourians, accompanied by the sitting delegate, went to relieve Pate and his party. A collision was prevented by the United States troops. Civil war seemed impending in the Territory. Nothing can prevent so great a calamity but the presence of a large force of United States troops, under a commander who will, with prudence and discretion, quiet the excited passions of both parties, and expel with force the lawless band of men coming from Missouri and elsewhere, who, with criminal pertinacity, infest the Territory. In some cases, and as to one entire election district, the condition of the country prevented the attendance of witnesses, who were either arrested and detained while, or deterred from, obeying our process. The sergeant-at-arms who served the process upon them was himself arrested and detained for a short time, by an armed force claiming to be a part of the posse of the marshal, but was allowed to proceed upon an examination of his papers, and was furnished with a pass signed by "Warren D. Wilkes, of South Carolina." John Upton, another officer of the committee, was subsequently stopped by a lawless force on the borders of the Territory, and after being detained and treated with great indignity, was released. He, also, was furnished with a pass, signed by two citizens of Missouri, and addressed to "pro-slavery men." By reason of these disturbances we were delayed in Westport, so that while in session there our time was but partially occupied.

But the obstruction which created the most serious embarrassment to your committee was the attempted arrest of Gov. Reeder, the contesting delegate, upon a writ of attachment issued against him by Judge Lecompte, to compel his attendance as a witness before the grand jury of Douglas county. William Fane, recently from the State of Georgia, and claiming to be the deputy marshal, came into the room of the committee while Gov. Reeder was examining a witness before us, and producing the writ, required Gov. Reeder to attend him. Subsequent events have only strengthened the conviction of your committee, that this was a wanton and unlawful interference by the judge who issued the writ, tending greatly to obstruct a full and fair investigation. Gov. Reeder and Gen. Whitfield alone were fully possessed of that local information which would enable us to elicit the whole truth, and it was obvious to every one that any event which would separate either of them from the committee would necessarily hinder, delay, and embarrass it. Gov. Reeder claimed, that under the circumstances in which he was placed, he was privileged from arrest, except for treason, felony, or breach of the peace. As this was a question of privilege, proper for the courts, or for the privileged person alone to determine, on his peril, we declined to give him any protection, or take any action in the matter. He refused to obey the writ, believing it to be a mere pretence to get the custody of his person: and fearing, as he alleged, that he would be assassinated by lawless bands of men then gathering in and near Lecompte, he then left the Territory.

Subsequently H. Miles Moore, an attorney in Leavenworth city, but for several years a citizen of western Missouri, kindly furnished the committee information as to the residence of persons voting at the

elections; and in some cases examined witnesses before us. He was arrested on the streets of that town by an armed band of about 30 men, headed by W. D. Wilkes, without any color of authority, confined with other citizens under a military guard for 24 hours, and then notified to leave the Territory. His testimony was regarded as important, and upon his sworn statement that it would endanger his person to give it openly, the majority of your committee deemed it proper to examine him *ex parte*, and did so.

By reason of these occurrences the contestant, and the party with and for whom he acted, were unrepresented before us during a greater portion of the time; and your committee were required to ascertain the truth in the best manner they could.

Your committee report the following facts and conclusions as established by the testimony:

First. That each election in the Territory, held under the organic or alleged Territorial law, has been carried by organized invasion from the State of Missouri, by which the people of the Territory have been prevented from exercising the rights secured to them by the organic law.

Second. That the alleged Territorial legislature was an illegally constituted body, and had no power to pass valid laws, and their enactments are therefore null and void.

Third. That these alleged laws have not, as a general thing, been used to protect persons and property, and to punish wrong, but for unlawful purposes.

Fourth. That the election under which the sitting delegate, John W. Whitfield, holds his seat, was not held in pursuance of any valid law, and that it should be regarded only as the expression of the choice of those resident citizens who voted for him.

Fifth. That the election, under which the contesting delegate, Andrew H. Reeder, claims his seat, was not held in pursuance of law, and that it should be regarded only as the expression of the resident citizens who voted for him.

Sixth. That Andrew H. Reeder received a greater number of votes of resident citizens than John W. Whitfield, for delegate.

Seventh. That in the present condition of the Territory a fair election cannot be held without a new census, a stringent and well-guarded election law, the selection of impartial judges, and the presence of United States troops at every place of election.

Eighth. That the various elections held by the people of the Territory preliminary to the formation of the State government, have been as regular as the disturbed condition of the Territory would allow; and that the constitution passed by the convention, held in pursuance of said elections, embodies the will of a majority of the people.

As it is not the province of your committee to suggest remedies for the existing troubles in the Territory of Kansas, they content themselves with the foregoing statement of facts.

All of which is respectfully submitted.

WM. A. HOWARD.
JOHN SHERMAN.

MINORITY REPORT.

JULY 11, 1856.—Ordered to be printed.

Mr. MORDECAI OLIVER, from the Select Committee, submitted the following views of the minority.

The undersigned, member of the committee of three appointed by the House of Representatives to investigate the state of affairs in Kansas, disagreeing with the views and conclusions of his two colleagues, in the written statement submitted by them touching the result of their investigations, begs leave, under the permission of the House, to present a counter-statement.

The authority under which the committee acted was an order of this House, passed the 19th of March last, directing them to "proceed to inquire into, and collect evidence in regard to, the troubles in Kansas generally, and particularly in regard to any fraud or force attempted or practised in reference to any of the elections which have taken place in said Territory, either under the law organizing said Territory or any pretended law which may be alleged to have taken effect there since; and when the investigation was completed, to report the evidence so collected to the House."

Under this resolution the committee entered upon the discharge of the duties imposed on them with as much dispatch as possible. Their labors were closed at Westport, Missouri, on the 9th of June, 1856. The paper in the nature of a report, drawn up by the colleagues of the undersigned on the committee, was not read to or by him, and he knew nothing of its contents or character until it was presented to the House. It was not the expectation of the undersigned that any other report would be submitted by them than the testimony taken. A full execution of the commission of the House, he thought, was the presentation of the evidence collected. But as the majority of the committee have thought proper to comment on the character of the testimony, and to give their version of the substance of the facts, which is altogether at variance from his understanding of both, the undersigned feels it incumbent on him to follow their example, by presenting like comments on his part.

It must have been apparent to all, that the report of the majority was not only *ex parte* and one-sided, but highly partisan in its character from beginning to end. This appears all through the paper, in the manner of their statement of all things referred to by them, as facts, many of which statements of facts thus made rest upon no evidence whatever collected by the committee.

To justify this remark, the undersigned will, in the beginning of what he has to offer, barely allude to a few statements in the report of the majority, from which its whole character may be judged. It is, for instance, said by the majority, that "a party under H. C. Pate, composed *chiefly of citizens of Missouri*, were taken prisoners by a party of settlers; and while your committee were at Westport, a company, chiefly of Missourians, accompanied by the sitting delegate, went to relieve Pate and his party, and a collision was prevented by the United States troops."

Now, the undersigned affirms most positively that this statement has not one particle of proof, taken before the committee, to rest upon! There is no testimony in the whole mass collected by the committee on that matter—none at all. But the undersigned affirms, that, in his opinion, and according to the best of his information and belief, the fact is contrary to the statement of the majority; at all events, so far as relates to Captain Pate. Since that report has been made, under indulgence granted by this House, testimony has been taken on that point, from which it is made very clearly to appear that this statement, made without proof in the first instance, was founded wholly in error. Captain Pate himself—a man of character and integrity—swears that, to the best of his knowledge, "not one of them were citizens of Missouri." This deposition the undersigned here refers to, without spreading it out at large, and makes it a part of his report as fully and completely as if it were given in full in this place.

Again. The statement about the "young man being seized in the town of Atchison, and, under circumstances of gross barbarity, tarred and cottoned, and in that condition sent to his family," is entirely unsustained by any proof in the mass of that taken by the committee. It is true, testimony was taken as to alleged facts of this character; but when it was proposed to go fully into the investigation of the whole truth of such charges, and not to rest them on *ex parte* statements alone, the majority of the committee abandoned the investigation, and struck out the testimony which they had taken. But the undersigned has not time to go on with such specifications. He will here barely add, that all like statements in the report, as to the existing condition of the Territory, are wholly gratuitous and unsupported by any testimony taken by the committee. For the correctness of what he now affirms, the undersigned appeals to the testimony on file; and to counteract the impression of such statements by the majority of the committee, he begs leave to refer to the sworn depositions hereunto appended and made part of his report, as fully as if the same were set forth at large.

The undersigned affirms, most positively and distinctly, that the testimony taken by the committee contains no matter going to disprove or deny in the slightest degree these great, leading, and controlling facts in the merits of the controversy which gave rise to the organization of this committee, to wit: that an election for a Territorial legislature was held in Kansas Territory on the 30th of March, 1855, in pursuance of the proclamation of A. H. Reeder, governor of the Territory under the organic law; that, in that proclamation, the time and places of voting were set forth; that the judges of election

were appointed by him, with instructions as to how their places were to be filled if they or any of them refused or failed to act; that he reserved the power to himself to judge, in the first instance, of the election returns, and that he did so act; that the returns were made to him, and he did set aside the election of but nine members of the twenty-six elected to the house of representatives, and three of the thirteen elected to the council, and gave his certificate of election to the other seventeen members of the house, and ten members of the council, being a majority of both branches of the legislature; that he ordered new elections in those districts where he had set aside the returns; that the governor convened the legislature, thus constituted, according to law, on the 1st of July, 1855, and communicated with them officially after they were organized, and recognised them as a legally and properly constituted law-making body; and never, until August, 1855, after he was removed from the office of governor, did he object to the election of a majority of the legislature, both in the council and in the house of representatives, to whom he had previously given certificates.

These great leading and essential facts, upon which the validity or invalidity of laws, or "*pretended laws*," of Kansas must rest, are not denied, or even assailed, by a particle of testimony taken by the committee; and, with these facts unassailed and unimpeached, it is beyond the comprehension of the undersigned how the majority could come to the conclusion that the laws passed by the Territorial legislature were null and void in consequence of any illegality, even if such had been proved, in the election of its members. All questions relating to that election were closed by their waiver at the proper time, and without an investigation by the proper authority. This is a well-fixed principle in all our representative institutions; upon it they all rest, and with the correctness of it Governor Reeder himself seems to be duly impressed. This the testimony clearly discloses. In a letter found in the streets of Lawrence, and proven before the committee to be in the hand-writing of Governor Reeder, and bearing his genuine signature, dated in this city on the 12th of February, 1856, and addressed to a friend of his in Kansas Territory, he says:

"As to putting a set of laws in operation in opposition to the Territorial government, my opinion is confirmed instead of being shaken; my predictions have all been verified so far, and will be in the future. *We will be, so far as legality is concerned, in the wrong; and that is no trifling matter, in so critical a state of things, and in view of such bloody consequences.* * * * * I may speak my plain and private opinion to our friends in Kansas, for it is my duty. But to the public, as you will see by my published letter, I show no divided front."

This letter, and another also found, were addressed, as it is understood, to Grosvenor P. Lowrey, his friend, and formerly his private secretary, while he was governor of Kansas; and so important a bearing had they upon the *main facts of the case*, which are the *legality of the Territorial legislature and their enactments*, that the majority of the committee, after they had admitted them as evidence, as it was clearly understood by all parties, attempted to reject them. The following is their action in regard to them:

"The counsel for J. W. Whitfield, having at Leavenworth city offered in evidence before the committee two letters written by A. H. Reeder—the one dated Washington, January 20, 1856, the other dated Washington, February 12, 1856—and, before offering the said letters, their authenticity, both as to the signature and hand-writing in the body of said letters, was proved to be the proper hand-writing and signature of A. H. Reeder, and of which facts the committee were satisfied; but a majority of the committee—Messrs. Howard and Sherman—not being satisfied, at the time, of the propriety of the admission of such evidence, took the matter under consideration; and now, at this day, at the sitting of the committee at Westport, the question of the admission of said letters as evidence came up for consideration and decision, and a majority of the committee, Messrs. Howard and Sherman—Mr. Oliver dissenting—decline to receive said letters in evidence, and to be engrafted into and to constitute a portion of the evidence taken by the committee in their investigations, upon the ground that they, the committee, have not the rightful possession of them; they having been found in the street, and being clearly private letters, or so declared to be by the majority of the committee. The said majority of the committee take no objection to the relevancy or competency of said letters as evidence; but place their objection solely upon the grounds above stated, not denying that said letters might be evidence against said A. H. Reeder in a criminal prosecution. The committee admit that the copies of said letters, furnished to the committee for the purpose of having them transcribed into the evidence, are true and genuine copies of the originals offered in evidence, and which said copies are hereto appended, marked (A) and (B), and made part of this protest.

"The counsel for J. W. Whitfield, and on behalf of the law and order party in Kansas Territory, offer said letters in evidence for the double purpose of showing the opinions and admissions of A. H. Reeder, in reference to the matters and subjects connected with the elections of the 30th of March, 1855, in the Territory, and the contest now pending between Whitfield and Reeder in the House of Representatives, as well as to show the complicity of A. H. Reeder in all the troubles which have led to bloodshed and civil war in the Territory.

"To the refusal of the majority of said committee to receive said letters in evidence Mr. Oliver enters his protest; and also the said John W. Whitfield, by his attorneys, protests against the action of a majority of the committee in refusing the admission of said letters in evidence, as depriving him of his just rights in the investigation before the committee, and in showing to the country the true ground and source of all the difficulties in Kansas Territory.

"J. W. WHITFIELD.
By his Attorneys,
"AUSTIN A. KING,
"JOHN SCOTT.

"WESTPORT, Mo., June 7, 1856.

"The above protest was this day presented, and the accompanying

copies of letters, marked by me 'Exhibit A, accompanying protest,' and 'Exhibit B, with protest.'

"WM. A. HOWARD,
"Chairman K. C.

"WESTPORT, June 7, 1856."

But the undersigned insists that they were not only competent, but pertinent to the main issue which the committee were sent out to investigate. He therefore incorporates copies of them in this report; he appends them to it, and makes them part of the same as fully as if here entered at large.

These remarks, touching the general character of the majority's report, and what has not been proved, are preliminary to such comments as the undersigned intends to submit on the matters which were elicited by the investigation. And another fact on the same line of preliminary observations, deserving, in his opinion, to be noticed, is, that witnesses were examined by the committee in but three places in the Territory, to wit: Lawrence, Tecumseh, and Leavenworth city; except that the testimony of Daniel Woodson, secretary of the Territory, was taken informally at Leecompton, in regard to the loss of poll-books in certain districts, and also a certain letter said to have been written by him. All the places in which witnesses were examined touching the election of the 30th of March, 1855, were in districts where the elections had been set aside by Governor Reeder himself, as before stated. All the testimony they took touching the elections at other places, was given by witnesses sent for and examined out of the vicinage; and much the larger portion of the testimony taken at the instance of the contestant was taken at Lawrence, the great rendezvous of the malcontents in the Territory. The object of the testimony of the witnesses produced by Governor Reeder, was to show that the election of the legislature on the 30th of March was carried by illegal votes from Missouri, notwithstanding he had officially adjudicated that question as governor of the Territory.

And before proceeding to notice in detail the testimony, such as it is, adduced for that purpose, it may be proper here to advert to some strange inconsistencies in the report of the majority, and which are apparent upon its face. They say, for instance, "this unlawful interference has been continued in every important event in the history of the Territory. Every election has been controlled, not by the actual settlers, but by citizens of Missouri; and, as a consequence, every officer in the Territory, from constables to legislators, except those appointed by the President, owe their positions to non-resident voters. None have been elected by the settlers, and your committee have been unable to find that any political power whatever, however unimportant, has been exercised by the people of the Territory."

This is certainly very broad and sweeping language; and who, after having heard it read, was not surprised to hear the same gentlemen admit, in an after part of their report, in speaking of the first election for a delegate to Congress, November 29, 1854, and after giving all the facts in relation to that election, that General Whitfield was duly elected a delegate to Congress? They say, "*of the legal votes*

cast, *General Whitfield received a plurality*," and was consequently duly elected. And if he was duly elected by *legal votes*, as they were forced to admit from the evidence, then the result could not have been affected by non-resident voters.

The undersigned does not deem it necessary for him to say more upon the subject of that election, which was the first object of their inquiry.

The majority admit that General Whitfield was duly elected by the actual settlers of the Territory, and those who were entitled to vote. This admission is a sufficient answer to their previous statement, that no person had been elected by the settlers, and that they had been unable to find that any political power whatever, however unimportant, had been exercised by the people of the Territory. Like inconsistencies appear in their statements concerning the election of members of the legislature on the 30th of March, 1855.

They say in the first place, in relation to this election, that companies of men from Missouri "were arranged in regular parties, and sent into *every council district in the Territory*, and into *every representative district but one*. The numbers were so distributed as to control the elections in *each district*."

And then, under the head of "tenth district," they say, "this and the 'eighth election district' formed one representative district, and was the *only one* in which the invasion from Missouri did not extend." But under the head of "twelfth district," they say, "the election in this district was conducted fairly; no complaint was made that illegal votes were cast."

And again, under the head of "seventeenth district," they say, "the election in this district seems to have been fairly conducted, and not contested at all. In this district the pro-slavery party had a majority."

These contradictory statements, to the undersigned, seem wholly inexplicable, and he leaves them for the majority to reconcile or explain as best they may. But the undersigned affirms, that the weight of testimony shows that the majority of the legal voters in fourteen out of the eighteen election districts in the Territory were in favor of the party electing a majority of the legislature, as returned and certified to by the governor. And the testimony as to the other districts, while it is contradictory on some points, is far from being conclusive that a like majority did not exist in them. This, moreover, appears from the report of the majority itself, without referring to the testimony.

The Territory was divided into ten council election districts and fourteen representative districts. The first council district embraced the city of Lawrence—the stronghold of the abolition or free-State party, as it is called. In this council district, the whole entire vote cast for the free-State ticket was but 255. The whole number of legal voters in that district, by the census in February before, was 446. These figures are taken from the tabular exhibit given by the majority themselves. And it is also in proof by Mr. Ladd, one of Gov. Reeder's main witnesses, that at least fifty illegal votes were

given for the free-State ticket in Lawrence by eastern emigrants just arrived, and not entitled to vote.

These figures and this fact show that the free-State ticket did not receive a majority of the legal voters in this district; for if fifty be taken from the 255 cast for their ticket, it would leave only 205, being 61 short of a majority of the 466 legal voters in the district. That Missourians may have voted there illegally, does not, and cannot, vary this result. But the election at Lawrence was set aside by Gov. Reeder for informality in the return.

The undersigned has compiled tables, comparing the votes cast for the free-State ticket in the several council districts and representative districts in the Territory. This is taken from the tables exhibited by the majority. It is part of their own showing. In it will be seen the number of votes cast in each district for the free-State tickets, compared with the number of voters at the time the census was taken in each respectively; and from this it will appear that the free-State votes fell far short of being sufficient to elect a majority in either branch of the legislature, even if there had been no increase of voters, by *bona fide* settlers, between the time the census was taken and the election.

But the concurrent testimony of a number of witnesses establishes the fact conclusively, in the opinion of the undersigned, that the emigration of *bona fide* settlers from the southern States was greater in the month of March, after the census was taken, than in any equal time previous.

Here are the tables:

REPRESENTATIVE DISTRICTS.				COUNCIL DISTRICTS.			
No. of representative district.	No. of voters by census.	No. of votes for free-State ticket.	No. of representatives.	No. of council district.	No. of voters by census.	No. of votes for free-State ticket.	No. of councilmen.
1	97	19	1	1	466	255	2
2	369	253	3	2	212	12	1
3	212	12	2	3	193	44	1
4	101	4	1	4	442	156	2
5	92	49	1	5	253	-----	1
6	253	35	2	6	201	140	1
7	242	152	4	7	247	-----	1
8	99	120	1	8	215	60	1
9	102	26	1	9	208	-----	1
10	83	-----	1	10	158	66	2
11	47	54	2				
12	215	-----	2				
13	203	-----	2				
14	335	59	3				

This shows that the aggregate of the votes cast in the Territory for the free-State ticket fell short of 800, while the census shows that there

were 2,905 legal voters in the Territory in the February previous. The free-State ticket, therefore, did not receive one-third of the legal voters of the Territory, even if all be excluded from the account who emigrated to the Territory after the census was taken.

This fact was apparent to the majority of the committee. But they attempted to break its force in two ways: First, by comparing the names on the poll-books with those on the census returns, from which comparison they argue that only a fraction over 1,300 of the legal voters upon the census returns voted at that election. And secondly, by arguing that the abolitionists were prevented from voting by violence, threats, and intimidation.

On the first point, the undersigned deems it unnecessary to say more than that no comparison between the poll-books and the census returns was made except by districts. Between the time of taking the census and the election, settlers had changed their residence from one part of the Territory to another, and doubtless voted in a place different from that in which they were registered when the census was taken. The committee did not compare the names on the poll-books with the names on the census returns throughout the Territory, and the comparison alluded to by the majority, therefore, by no means proves what they claim for it.

On the second point the undersigned will barely state that there is no evidence that any violence was resorted to, or force employed, by which men were prevented from voting at a single election precinct in the Territory, or that there was any greater disturbance at any election precinct than frequently occurs in all our State elections in exciting times. A number of witnesses on both sides swear that men on both sides had arms, guns, pistols, bowie-knives, &c., and made threats, &c. But no one of them swears that any one was prevented from voting by the use of these weapons in a single instance, to the best of the undersigned's recollection. The testimony from beginning to end does not disclose the fact of a single assault and battery at or about the polls, or on account of the side on which any one wished to vote or had voted, in the whole Territory, on the day of election. Some quarrels and fights occurred at two or three places, but not about voting, and not as many in the whole Territory as the undersigned is informed occurred at one precinct in this city at the late municipal election.

The undersigned will now take up and proceed with the districts in their order. He now refers to the election districts. There were eighteen of these.

FIRST ELECTION DISTRICT.

The testimony in this district shows that a great many strangers were present, some with wagons and tents; that considerable excitement prevailed. But there is no positive evidence of but a very few persons, known at that time to be citizens of Missouri, being present. All else is hearsay, vague and uncertain. While this is so, Mr. Salter, in his deposition hereunto appended and made part of this report, testifies as follows:

"I emigrated into the Territory of Kansas in June, 1854, and settled in the neighborhood of Lawrence, and have resided there ever since."

"My acquaintance was reasonably extensive in that district. I knew about 400 voters who resided in the district, but I did not know near all of the resident voters of that district. So far as I know, all the resident voters of that district were present and voted."

"At the time of the election of the 30th March, 1855, there was a majority of pro-slavery residents in the Lawrence district. I was well acquainted in the district. There were about 200 free-State resident voters in that district, and there were from 300 to 400 pro-slavery voters at the polls that day, whom I knew to be residents of that district, and a great many of them voted in my presence, and the others told me they had voted."

Besides this, the testimony of other witnesses shows that a large immigration of *bona fide* settlers from Missouri came into the district after the census was taken, and before the election.(1) The parties, says one witness, were pretty nearly divided—perhaps more of the free-State than pro-slavery party; but the free-State party were divided, and many voted for the pro-slavery candidates.(2) There was *no intimidation or force* used to prevent any of the free-State party from voting, and all could have voted who wished to vote.(3) In the afternoon some one hundred men, who had come in with Dr. Charles Robinson from the east, marched over to the polls and voted the free-State ticket.(4) They were said to have come into the Territory that very day.(5)

From this testimony, it is difficult for the undersigned to see how the majority of the committee could come to the conclusion to which they arrived, that even in the Lawrence district there was a majority of the legal voters for the free-State ticket.

SECOND DISTRICT.

In regard to this district, the testimony is conflicting and contradictory; but the weight of the evidence, in the opinion of the undersigned, shows that there were many settlers came into this district after the census was taken, and before the March election. On the morning of election the free-State judges took arms with them into the judges' room. The free-State men, under the lead of Judge Wakefield, took possession of the polls, and required all the pro-slavery men to be sworn without discrimination, and did not swear any free-State men. The pro-slavery residents objected to this, and declared that both parties ought to be sworn alike. After some time the free-State judges resigned, and other judges were selected by the crowd. No intimidation was used to prevent the free-State men from voting, but all were asked to come up and vote. The pro-slavery

(1.) Horatio Owens, James Whitlock, A. B. Wade.

(2.) James Whitlock, A. B. Wade.

(3.) Horatio Owens, J. Whitlock, A. B. Wade.

(4.) J. Whitlock, A. B. Wade, J. M. Banks.

(5.) James Whitlock, John M. Banks.

ticket had a majority in the district, as the free-State party were not united on their ticket.(6) In addition to the general testimony relating to this district, the undersigned begs to call the attention of the House especially to the testimony of Parris Ellison, one of the judges to hold said election, appointed by Governor Reeder himself, which deposition, with others in relation to the election in that district, is hereunto appended and made part of this report. Mr. Ellison, in his deposition, among other things, says :

"The undersigned, Parris Ellison, states on oath : That I emigrated from Missouri to Kansas, and settled at Douglas, the second district, in October, 1854, and have resided there ever since. I was present at the election held at Mr. Burson's, in the second district, on the 30th March, 1855. I was appointed by Governor Reeder as one of the judges, and Mr. Burson and Mr. Ramsay, I think, were the other two. We met at Mr. Burson's house in the morning before the hour to open the polls. Mr. Burson was a magistrate, appointed by Governor Reeder, and he qualified me and qualified Ramsay. Ramsay qualified Burson. We appointed the clerks, and qualified them. George W. Taylor was one of the clerks. My son Parris was very sick at the time, and I wanted to resign. I proposed to resign if the other judges would permit me to name a man to serve in my place. Judge Wakefield, one of the candidates on the free-State ticket, was in the room, and interfered, telling the judges that they had power to name the man. They refused to let me appoint a man in my place, and I determined to serve, and did serve. I remarked to the other judges that we were sworn to act impartially during the whole day. They said, Yes ; we are sworn to act impartially. We agreed that, inasmuch as they knew a great many voters that I did not know, and I knew a great many that they did not know, that those whom I knew should vote without swearing, and those whom they knew I would not require of them to be sworn. Under this agreement we commenced the election. After some twenty-nine or thirty votes were taken, the pro-slavery party had some two to one against the free-State party. The other two judges began to grumble. Dr. Brooks came up to vote. I knew Dr. Brooks had a claim in that district, and had been on it, and had put a house on it.

"Dr. Brooks was a single man, and afterwards brought his mother there, and has resided there ever since. At the time of the election Dr. Brooks claimed to be a citizen of the district. I knew him to be a resident, and under our agreement I wanted to take his vote without swearing, but the other two judges refused to take his vote unless he would swear ; this he refused to do, because he said that he had understood that, under the agreement, if Mr. Ellison took his vote without requiring him to swear, that was all that was necessary. The other two judges still refused to take his vote. The doctor stood at the window a long time, and said, that unless they would let him vote, as he was a citizen of the district, and had been for some time previous, no other man should vote there that day. I told them that if they refused his vote it would create a fuss and confusion, and

(6.) George W. Ward.

that it would be violating the agreement made before the election began; but still refused. Sherman Woffal then came up to vote; but they refused to take his vote without swearing. Sherman said that he could prove by me that he was a citizen of the district, and had been a citizen of the district from the fall before. I knew that Mr. Woffal was a resident of the district, for he was living there when I went to the district to live. I bought hay of Mr. Woffal before the election, which he had made and cured the summer before. They still refused to let him vote, unless he would swear. He refused to swear because they, the judges, would not let him prove his residence. He said he would not swear. I had not, up to this time, objected to any of the persons that came up to vote which the other two judges said they knew. I had kept the agreement made between us to the word and letter. On account of this conduct on the part of the other two judges, a fuss and confusion arose in the crowd outside of the house. While the fuss was going on, I proposed to adjourn, as I told them I thought it would be over in half an hour or so. Mr. Burson, thereupon, adjourned for half an hour. He proclaimed the adjournment aloud. I told each one of the judges to pick up a poll-book. I took the ballot-box, which one of the judges tried to take from me. I think it was Ramsay, but am not certain. Sharp words passed between us, but I kept the ballot-box, and they took the poll-books and went off. A man by the name of Jones asked me where the poll-books were? I told him that Burson and Ramsay had taken them off. He followed them, and brought the poll-books back. I waited until the half hour had expired, and the other two judges did not come back. I waited ten minutes longer. I called them; but they did not come. I called them again, and they did not appear. I told the people that I would wait five or ten minutes longer, and if the other two judges did not come they would have a right to select two men to act in their places. I waited ten minutes and they did not come, and the people elected two men to act in their places, namely, Sherman Woffal and Frank Labay. They were qualified. I asked Mr. Taylor to repeat the oath to them, which he did; but, by mistake, Mr. Taylor signed the oath instead of myself. Mr. Taylor had been sworn in as a clerk by Mr. Burson and Mr. Ramsay. Messrs. Woffal and Labay and I then opened the polls, and the election went off quietly during the remainder of the day. We kept the polls open until 6 o'clock in the evening. Andrew McDonald was the pro-slavery candidate for council, and Judge Wakefield was the free-State candidate for council. O. H. Brown and Mr. Ward were the pro-slavery candidates for the house of representatives, and Jesse was one of the free-State candidates for the house, and the other I do not remember. All the votes received after we began the second time were for the pro-slavery candidates. The ballot-box which I took possession of at the time of the adjournment I carefully preserved, and did not open it until 6 o'clock in the evening. It was then opened in presence of the other two judges, who had been selected by the people, and the clerks. The ballots were counted, and there were twenty-one votes for the pro-slavery ticket, and

twelve votes for the free-State ticket. When we commenced the election the second time, we got another ballot-box.

“When I got there in the morning, there were some thirty or forty men present about the house, and when I went into the house I saw some fifteen or twenty guns standing in one corner of the house, which had been brought there by the free-State men. When the adjournment took place, the guns were taken away by the free-State men. These guns were all the guns that I saw on the ground. I did not see a gun in the hands of a pro-slavery man that day. There was no charge made with either guns or pistols or other weapons at the window, nor were there any threats of violence made by the pro-slavery men. There was no violence committed by the pro-slavery men there that day to the judges, nor were there any threats of violence offered, as I saw. I did not see Mr. Samuel Jones pull out his watch and say to the judges, Ramsay and Burson, that he would give them five minutes to resign, nor did I hear him afterwards say to them that he would give them one minute to resign. If this had occurred, I should have seen and heard it, for I was in the house all the time, and was at the door when these two judges came out. I did not see Samuel Jones in the house at any time while Ramsay and Burson were there. In my neighborhood I was well acquainted with the settlers there, and at the time of the election and before. The residents were almost all pro-slavery. From what I knew myself, and the information received from the census taker and others, I am satisfied that the pro-slavery party had a decided majority in the second district.”

This is the district in which it is represented that sheriff Jones figured so conspicuously. The testimony of Mr. Ellison clearly disproves all such allegations. Other depositions, herewith filed and made part of this report, fully confirm the testimony of Mr. Ellison.

THIRD DISTRICT.

The testimony in relation to this district is, that the pro-slavery party had a majority among the actual settlers of the district.(7)

FOURTH DISTRICT.

The testimony in relation to this district shows that the pro-slavery party had a majority among the actual settlers.(8)

FIFTH DISTRICT.

In this district the testimony goes to show that there was a majority for the free-State party.

SIXTH DISTRICT.

The testimony goes to show that the pro-slavery party had a major-

(7.) Geo. Holmes.

(8) A. S. Johnson, T. Mockbee.

ity of the actual settlers in this district, and also that most of the free-State men voted for the pro-slavery candidates.(9)

SEVENTH DISTRICT.

The testimony shows that the pro-slavery party had a majority among the actual settlers in this district.(10)

EIGHTH DISTRICT.

As to this district, no testimony was taken on either side, so far as the undersigned now remembers.

NINTH DISTRICT.

The testimony shows that in this district the pro-slavery party were in the majority among the actual settlers.(11)

TENTH DISTRICT.

The testimony shows that the election was conducted fairly in this district, and the result would not have been changed by the rejection of all the illegal votes on both sides.

ELEVENTH DISTRICT.

In this district there is no evidence to impeach the correctness of the election returns as made to and sanctioned by the governor.

TWELFTH DISTRICT.

There is no evidence to impeach the correctness of the returns of election for this district.

THIRTEENTH DISTRICT.

The evidence shows that there was a pro-slavery majority of the actual residents in this district, and that there was no force or intimidation used to prevent free-State men from voting.(12)

FOURTEENTH DISTRICT.

The evidence shows that the pro-slavery party was largely in the majority among the actual residents in this district; that the election was peaceable and quiet, and that no intimidation was used to prevent any one from voting.(13)

(9) Wm. Barbee, Joseph C. Anderson, S. A. Williams, T. B. Arnett.

(10) C. A. Linkenanger, Andrew Johnson.

(11) C. R. Mobley, Thomas Reynolds.

(12) Wm. Tebbs, O. H. Tebbs, and others.

(13) W. P. Richardson, Willard P. Hall, J. H. Whitehead, J. P. Blair, and others.

FIFTEENTH DISTRICT.

The evidence in regard to this district shows that the pro-slavery party were largely in the majority among the actual residents—probably ten to one—and that there was no force or intimidation used to prevent any man from voting.(14)

SIXTEENTH DISTRICT.

The evidence shows that the election in this district was conducted peaceably and quietly, and no intimidation or force used to prevent any one from voting. There was a decided pro-slavery majority among the actual settlers in this district.(15)

SEVENTEENTH DISTRICT.

The evidence shows that in this district the election was conducted peaceably and quietly, and that the pro-slavery party were in the majority among the actual settlers.(16)

EIGHTEENTH DISTRICT.

The evidence shows that the election was conducted peaceably and quietly, and that there was a decided pro-slavery majority among the actual settlers in this district.(17)

Upon an examination of the testimony taken before the committee, what the undersigned has affirmed in relation to these several districts will be found to be sustained by the proof. And from all the testimony collected, when compared and weighed properly, the undersigned feels confident that it will appear to every unprejudiced mind, not only that General Whitfield was duly elected, by the actual and *bona fide* residents, a delegate to Congress at the first election, in November, 1854, but that the free-State party was in the minority in the Territory at the March election in 1855, for members of the legislature; and that that election was not carried either by force, violence, or non-residents, but that a majority of the legislature was duly elected as certified to by the governor, and was properly constituted as a law-making body; and, as a consequence, that the laws passed by them, as far as they are consistent with the constitution of the United States and the organic act of the Territory, are valid; and, as a further consequence, that the sitting delegate, having been duly elected a delegate to Congress under a Territorial law thus passed, is entitled to a seat on this floor as such.

And having gone through this branch of the subject, the undersigned now beg leave to refer to other matters alluded to by the majority of the committee in their report. They speak of a certain secret political society formed in the State of Missouri, known by different

(14) John W. Martin, N. Williams.

(15) W. G. Matthias, L. J. Eastin, R. R. Reer, Amos Rees, A. T. Pattie, J. H. Day, A. McAuley, and others.

(16) Cyrrian Chouteau, Rev. T. Johnson.

(17) R. L. Kirk, J. W. Foreman.

names, such as "Social Band," "Friends' Society," "Blue Lodge," "Sons of the South"—the object of which was to send emigrants into Kansas for the purpose of making it a slave State.

In reply to this part of their report it is only necessary to state that the evidence shows that these organizations were formed for the purpose of counteracting similar and other organizations, first started at the east and elsewhere, for the purpose of colonizing the Territory with persons for the avowed object of making Kansas a free State, and in this way ultimately affecting injuriously the institutions of Missouri.

The first society of this kind was formed in the city of Washington, immediately after the passage of the Kansas-Nebraska bill. It was composed of members of Congress of both branches, and others.

The undersigned refers, in this connexion, to the testimony of the Hon. Daniel Mace, a member from Indiana, which is appended to this report and made part thereof. In his deposition he states that such an association was formed in Washington immediately after the passage of the Kansas-Nebraska act. It was called the Kansas Aid Society, the members of which subscribed various sums of money, he himself subscribing \$50 or \$100, he is not certain which amount. The object of the movement was to induce persons to go to Kansas who would make that their home, and who would at all elections vote against the institution of slavery. Mr. Goodrich, a member of the House of Representatives from Massachusetts, was the president of the society.

Soon after this society was formed, other societies were formed in the eastern States for the same object; that is, for the purpose of sending persons to Kansas to control the elections there. A society of this kind formed in Boston, Massachusetts, commenced sending emigrants to Kansas for this avowed object. To show the object of this last-named Emigrant Aid Company, the undersigned begs leave to refer to a letter written by Thomas H. Webb, corresponding secretary of the company, and which is among the testimony taken by the committee. It is as follows:

Boston, August 14, 1854.

DEAR SIR: By the pamphlet mailed you, much of the information which you desire can be obtained.

The next party will leave here on the 29th inst., at quarter past 2 p. m.; they will go via Buffalo, Detroit, Chicago, Alton, and St. Louis, and will disembark at Kansas City, near the mouth of Kansas river. The fare through will be about \$25 for first-class accommodations; meals extra, which need not cost, on an average, more than twenty cents. Each person is allowed 100 pounds of baggage, and for all excess will be liable to pay about \$3 per 100. Children under three years will be taken free; between three and twelve, pay half-price. No pledges are required from those who go; but as our principles are known, we trust those who differ from us will be honest enough to take some other route.

The agent who located our pioneer party will accompany the next one, and furnish all requisite information.

Yours, respectfully,

THOMAS H. WEBB,
Sec. Em. Aid Co.

A. JENNINGS, *Provincetown, Mass.*

The undersigned also refers to a pamphlet admitted in evidence before the committee, from which he submits the following extracts:

"THE PIONEER PARTY.—Charles H. Branscomb, esq., one of the company's agents, went up with the pioneer party, and located them on a beautiful tract of land previously selected by him as an advantageous position for a town-site. This spot is situated six miles above the Wakarusa, a tributary of the Kansas river, and about thirty-five miles above the mouth of the latter stream, on its south side. For a brief description, the reader is referred to the paragraph commencing on page eleven, and continued on page twelve, of this pamphlet.

"Mr. B. travelled in various sections of the Territory, and says it is impossible for one who has not been in that region to conceive of its beauty and fertility; he confirms all the statements that have been made respecting it in our pamphlet.

"The second party left this city on Tuesday, the 29th of August. They reached Kansas City September 6th, and entered the Territory under the guidance of Charles Robinson and S. L. Pomeroy, agents of the company. They were cordially received by the pioneer party, and have made a joint settlement at the beautiful site selected by Mr. Branscomb.

"The third party, under the guidance of Mr. Branscomb, (who has returned twice from Kansas since July,) left Boston September 26th. It numbered eighty-six persons, to which accessions were made at Worcester, Rochester, and elsewhere westward. Messrs. Pomeroy and Robinson are making great exertions to accommodate the parties for the winter, and to provide the materials for the erection of houses in the spring. This pressure of business involves a large expenditure, which their experience will enable them to make with prudence and discretion. But their drafts cannot be met with the funds in the hands of the trustees, unless '*material aid*' furnished by those who wish for success to the enterprise shall be very much greater than it has been thus far.

"The fourth party left this city the 17th of October. It numbered 123 individuals, to which sixty were added at Worcester, a number at Springfield, Albany, Rochester, and Buffalo. At Chicago a large accession was anticipated, and ere leaving St. Louis the number will exceed 250."

This was all in the summer and fall of 1854, and prior to the first election for a delegate to Congress, in November of that year. Whatever organizations, therefore, were formed in Missouri, of the character alluded to by the majority of the committee, were formed solely and expressly for the purpose of counteracting those organizations previously formed elsewhere. This the testimony abundantly proves.

The testimony also shows that emigrants going out under those and similar organizations were supplied with arms and munitions of war. Great numbers of Sharpe's rifles and several pieces of artillery were sent to the Territory. And if arms were taken by emigrants from Missouri, it was only for the purpose of defence against arms in the hands of emigrants from other quarters.

The testimony shows that large numbers of persons sent out by these eastern societies went into the Territory during the month of March, just before the election, declaring it to be their intention to vote; that they came there for that purpose; and in a few days after the election, great numbers of these persons were seen returning to the north and east, saying, many of them, that they had voted.* The testimony also shows that a large number of Missourians went over to the Territory on the day of election, merely to prevent illegal voting on the part of these eastern emigrants, and few of these Missourians, and only a few, are proven to have voted, and their names given, by the testimony; not as many in all as those of the eastern emigrants, who it is proven voted illegally at Lawrence.

The majority of your committee in their report say, that the only cause of the hostilities in the Territory was the known desire of the citizens of Lawrence to make Kansas a free State, and their repugnance to laws imposed upon them by non-residents.

The undersigned, however, is unable to concur with them in that allegation. On the contrary, he affirms, what he believes to be the truth of the matter, that the cause of all the difficulties in the Territory of Kansas, from its organization down to the present time, is to be found, first, as before stated, in the various organizations of members of Congress, and in the northern and eastern States, with the avowed purpose of colonizing the Territory with persons of anti-slavery sentiments, to the end of making Kansas a free State; secondly, that finding themselves defeated and thwarted in their purpose of electing a legislature in favor of making Kansas a free State, as shown in a former part of this report, being chagrined and mortified, they, the anti-slavery party in the Territory of Kansas, in a fit of desperation, determined to set themselves up in opposition to, and in resistance of, the laws passed by the Kansas legislature, and to resist them to a "bloody issue," if necessary to their defeat and utter subversion. Indeed, the undersigned affirms, that even before the legislature convened, there were propositions made to form an organization of a military character, to resist any and all laws which might be enacted by that legislature, by force of arms, even should such resistance result in the subversion of the government of the Territory, and to the peril of the Union itself.

In proof of this allegation, the undersigned begs leave to refer to the testimony of Dr. J. N. O. P. Wood, which is as follows:

"I came into the Territory first about the 1st of April, 1854; I located permanently in Lawrence about the 7th of October, 1854; I resided there until some time the last of March, or the 1st of April last, and then I went to Leecompton. About the time I came there,

* F. M. Mahan, H. M. Blossom, and others.

there was considerable difficulty between what was called the Lawrence Association, of which Dr. Robinson was president, and the settlers that were not members of this association. The members of the association held a meeting two or three evenings after I got there, and elected a judge, and a Mr. Grover marshal, and organized a company, which I think they called the 'shot-gun battalion,' for the purpose of preventing persons that did not belong to their association from settling about the place, and taking timber and stone from the claims of those who did live there. They said there was no law in the Territory; that the organic act was unconstitutional—made so by the repeal of the Missouri compromise; and that they intended to form an association, and make and enforce their own laws, irrespective of the laws of Congress, until there could be a change in Congress, by which the Missouri compromise could be restored, and the organic act set aside.

"There was no open opposition to the execution of the laws until Governor Reeder appointed justices of the peace, and one or two members of this association were arrested. They refused to recognise the power of the justice of the peace, and refused to attend as witnesses, and would only attend their own provisional court, as they termed it.

"When the legislature was about to be elected, they held a meeting, and brought out their candidates. After the legislature was elected, and before they met, there were several meetings held in Lawrence, and at those meetings they passed resolutions declaring they would submit to no laws passed by that legislature. This was what was called the Lawrence association, different from the town association. It was composed of men sent out under the auspices of the Emigrant Aid society, and Dr. Robinson was at the head of the association. Many belonging to this association lived in different parts of the Territory. They were allowed to vote at the meetings of the association, which I sometimes attended, and those who were not enrolled as members of the association were not allowed to vote or debate at their meetings. Some of them lived at Ossawatimie, Topeka, Manhattan, and other places in the Territory. They resolved not to obey the laws that would be passed by the legislature, and only obey their own provisional laws until they could form a provisional government for the Territory.

"The first general meeting, while the legislature was in session, was held in Lawrence in July or August, 1855. Before that time their meetings had been of the association; but this was the first general meeting. That was the first meeting at which I recollect hearing Colonel Lane take ground in opposition to the laws that the legislature, then in session, should pass. All the public speakers that I heard there, said they did not intend to obey the laws that should be passed, but intended to form a provisional government for themselves. After the legislature adjourned, the first meeting at which I heard any declarations with regard to the resistance of the laws was held at Blanton's bridge. Col. Lane, Mr. Emery, and Mr. John Hutchinson addressed the meeting, urging the people to resist the laws, let the consequences be what they might.

"In private conversation with those men, they always expressed

their determination to resist the laws, and said the officers and posse should not enforce the laws. They said they had a new code of laws called Sharpe's Revised Statutes, and they were going to use them in preference to any others. It was a common remark, that they would use Sharpe's revised statutes in preference to any others.

"I think the first box of rifles came there marked Revised Statutes. I think after Mr. Dietzler came back he said he brought the rifles with him. When they were brought to Lawrence they wanted to put them in my warehouse. They were lying at my door, and I inquired what they were, and Mr. Salter, who was keeping the warehouse for me, said they were emigrant aid guns. I objected to their being put in my warehouse, and they were taken and put in Mr. Simpson's office. I told them I would not be the first to harbor guns brought there for revolution.

"I often expostulated with Lane, Robinson, and others, both publicly and privately, as to their course, and addressed the meeting at Blanton's bridge in opposition to their course. They said they would resist the laws regardless of consequences.

"The next public meeting I recollect of was the Big Springs convention. At that convention I had but little conversation, except with Governor Reeder and Judge Johnson. Prior to the meeting several days, Governor Reeder came up to our place. I heard that he was urging the people to resist the laws, and do so by setting a different day for the election of delegate to Congress, on which he should be voted for. I called on him at his room, and asked him if he had recommended that course, and he said that he had intended to have returned to Pennsylvania, but upon reflection he had concluded that if they would take that course at the convention, he would be a candidate for Congress, and had returned from Kansas City, where he had taken his trunks and baggage. He said he had understood since he came there that Lane, Roberts, and others, would be candidates before the convention; but if they would withdraw, and the course he had indicated was taken, he would be a candidate for Congress. He said it would give him an opportunity to bring the matter before Congress, and with the majority they had then in Congress against the democratic party he thought he could succeed in ousting General Whitfield if elected.

"A meeting was held in Lawrence, and it was agreed upon that a different day should be fixed upon for the election; and the candidates who were there—Robinson, Lane, and some others—agreed to withdraw in favor of Governor Reeder. This was four or five days before the Big Springs convention.

"I rode up to that convention in company with General Pomeroy, who invited me to go up with him. At the convention I had another conversation with Governor Reeder. We had always been on the most intimate terms, and I talked with him as I would with any friend. I talked with him, and said that I thought that by taking that course, and thereby repudiating the laws, it would bring a state of anarchy upon the Territory that he nor I would probably live to see the end of. I said it would be opening the door and giving an invitation to outlaws outside of the Territory to come and make that

the field of operations; that it would bring about a state of things that would be injurious to the country, by preventing capitalists from risking their means in such a country.

"He replied that he thought differently; that they had determined to adopt the platform of the Topeka convention, held before that time, recommending the formation of a provisional government. I think he took a pencil and draughted a resolution recommending the calling of a convention to form a State constitution. He said he would offer that resolution; they could go on and form their State constitution, appoint an executive committee to issue a proclamation calling for the election of delegates to form a free-State constitution, and they would elect their members to the legislature, pass their laws; and if Congress did not admit them, they would pass their own laws, and go on independently of Congress, until such time as they could be admitted.

"I remarked, that would bring them immediately in conflict with the acts of the Territorial legislature, one or the other of which must become supreme; and I thought it would necessarily bring on a collision between the two opposing parties, and involve the country in an armed difficulty.

"He replied, that they had made up their minds to resist the laws, and by forming a free-State constitution they could get the aid and sympathy of the North to help them enforce their provisional laws; that they were determined to resist the Territorial laws. That was about the substance of the conversation.

"In his speech before the convention, he urged them to resist the Territorial laws at all hazards. I have read the speech of Gov. Reeder as reported in the proceedings of the Big Springs convention, in a printed copy now before me. I cannot say that it contains all his speech. He spoke for an hour, or a little over an hour. I understood him distinctly to say this: that he wanted them, if they had any regard for their rights, not to appeal to the laws for redress, nor answer others if appealed to. He called them 'bogus' laws, meaning thereby the Territorial laws. That, I think, is about the substance of what he said.

"I came down home, I believe, in company with Judge Johnson, who disapproved of the course adopted. I had conversations with Governor Reeder afterwards, but we held our respective positions.

"A proclamation was issued by what was called the Executive Committee, calling an election for State officers and legislature, a convention to form a State constitution having met and formed a State constitution. I talked with Lane and Robinson often about this matter. There were free-State men in Lawrence who opposed this course, and oppose it yet. I myself co-operated with the free-State party, until they took these revolutionary steps, and then I left them.

"I lived in Illinois twelve years before I came to this Territory."

Indeed the undersigned affirmed, upon the testimony, that either before the meeting of the legislature, or during its session, or after its adjournment, there were other organizations formed, to resist by force of arms the execution of any laws the legislature might pass, or any which they had passed, at all hazards, even to the destruction of the

Territorial government, and the dismemberment of the confederacy itself. In proof of this assertion the undersigned begs leave to refer to the testimony of Pat. Laughlin, and the testimony of Dr. Andrew J. Francis.

Pat. Laughlin testifies, in substance, that he came to Kansas from the State of Kentucky, in May, 1855. He settled in Doniphan, and favored the free-soil sentiment. He became a free-soiler about the middle of August, 1855, and had a meeting of that party on the 25th of the same month; at which meeting S. Collins presided.

The meeting—although it was one intended for all of the fourteenth election district, as designated by Gov. Reeder, in his official proclamation governing the spring election of 1855—had but about forty members in it, and that, too, in a district far more thickly populated than any other district in the Territory of Kansas.

This meeting was addressed by A. Lazelere, Dr. G. A. Cutler, C. W. Stewart, B. Harding, and others, all of whom urged very strongly on the meeting the necessity of forming a society something on the order of the "Know-nothings," by which they could unite their small party, and labor more effectually against the pro-slavery party. This idea was received with general acclamation by every member of the meeting but himself. He thought this a good sign of their "Know-nothing" origin. He therefore opposed the manœuvres they were making; told them if they went into such measures, they would find in him an unrelenting enemy. They, sooner than cause any disturbance in their yet feeble ranks, gave up all thoughts of such organizations. The meeting then went on; and, after disposing of all business before it, we had speeches from several of the leading men—S. Collins, Dr. G. A. Cutler, C. W. Stewart, John Fee, A. Lazelere, B. Harding, B. G. Cady, and others—many of whom strongly urged that the people ought to rise in arms, and with their might resist the authorities; and sooner than permit slavery in Kansas, or even to submit to the repeal of the Missouri Compromise, to go with all their might for a disunion of the States; and, in order to effect their purpose, shed, if necessary, the last drop of their blood. Those speeches were received with acclamation by the poor deluded listeners. He was appointed at this meeting, together with several others, to represent the people of this (14th) district at the Big Springs convention, to be held on the 5th of September. Next day several of the delegates met, and solicited him to go before the rest several days, that he might find out what our party was doing in other parts of the Territory. He started for Lawrence on the 27th of August, and after riding as far as Ocala, in Atchison county, he stopped at the house of Mr. Crosby, and made himself known to him. He then made him acquainted with the secret military organization, which organization had been on foot from the 4th of April, 1855. (There was another society previous to this.) Mr. Crosby then gave him a letter of introduction to G. W. Brown, of the Herald of Freedom.

He went to Lawrence, and after acquainting Brown with his business, and giving him the letter of Mr. Crosby, he showed him a great number of Sharpe's rifles—he supposed about 75 or 100—and told him they were sent to them by the Emigrant Aid Society, of Boston; that

this society had also sent, and would continue to send, men and means to make Kansas a free State by force, if necessary. He told him that the arms and munitions of war were sent generally as dry goods or books to the agent of the society; and were sent concealed in this manner, that they might not be detected by the United States officers. He told him that when our regiment would number thirty men, we could send a delegate to Boston; but that he must first visit Lawrence, where he would get letters of introduction to the society in Boston, who would furnish us with as many rifles as we had men to bear them in the neighborhood; and, furthermore, that he would get them gratis.

While in Lawrence, a box of goods came, directed to C. Robinson; it was taken into the room where they hold their secret meetings. A friend of his invited him to go up with him to see the kind of goods they received from the East. He went up, and, to his surprise, saw in the box a lot of blue jackets and white pants for military uniform; also a drum and drum-sticks.

The lookers-on winked with their eyes, as though they meant something. There was a large house, which answered the double purpose of a hotel and fort, and with which the public is very familiar: it was then in the course of erection by the Emigrant Aid Society of Boston; it had port-holes in it for guns. He was told by Mr. Brown, Mr. Conway, Hutchison, and Lowry, and many other leading men among the abolitionists, that this hotel was intended principally for a fortification for their town, for they expected their conduct would bring them, before long, into a collision with the authorities.

A. H. Reeder seemed very well acquainted with the secret military order. Immediately after he told his business to Mr. Brown, and let him know he was a member of the secret order, he had an introduction to A. H. Reeder. They both then got up and went into the back room, where the rifles were, about twenty-five feet from him, and stood in a position on the floor where he had a full view of them. He could see from their actions, and from part of their conversation, which he overheard, that he and the society were the principal topics of their conversation. When they finished their interview a preacher came in, and he was introduced as late of Boston. The three then began a conversation, in which the topic was, what men and means they could get by the next election, which was to come off in the fall, for delegate to Congress. They spoke of a preacher who had gone to Boston for the express purpose of getting voters and other means to insure success at the coming election.

Pursuant to public notice, the convention of the abolitionists met at Big Springs, on the 5th of September, 1855; also the executive committee. This committee claimed the sole right to govern the Territory. He was introduced to this convention by A. H. Reeder. His manner of introducing him was very strange, and he was made a member without being proposed in his hearing. Shortly after he was introduced to the committee a man whose name, he thought, was McCullough, and whose accent and outward demeanor bespoke him to be from the eastern States, offered the following resolution:

“Resolved, That every reliable free-State man in the Territory be

furnished with a rifle, a brace of pistols, and a sabre, gratis; and that he be required to take an oath to come when called upon, and muster into service under his superior officer, and to sacrifice his life, if necessary, to rescue the person and property of any person who would be brought under the jurisdiction of the present laws of the Territory."

The above resolution was seconded, and received by loud stampings in every part of the house, except the chairman, (C. Robinson,) who remained silent a few moments, as though lost in deep thought. He at last spoke up, and asked the gentleman to withdraw his motion, and they would act upon it in a more private manner. All seemed silent and seemed to wonder at the chairman's course. Another spoke up, and said he thought the resolution interfered with provisions already made.

The chairman said he thought not; but, for reasons he cared not to give at present, he wished the gentleman to withdraw his resolution, and let them act upon it in a more private manner. It was then withdrawn. This committee, in assuming the government of the Territory, appointed two governing committees of three men each side of the Kansas river, whose duty it was to establish post offices, mail routes, and mail carriers, to carry and take care of all free-soil and abolition mails, which was confined to the Territory. These two governing committees had the power to appoint persons who would arbitrate all difficulties arising in their respective districts. Persons so appointed were subject to removal, and responsible to the governing committee for any neglect of duty or abuse of power. In like manner, the governing committees were responsible to the executive committee.

All expenses of the above-named officials were to be borne by the executive committee, who would derive the necessary aid from the eastern States and the Emigrant Aid Society of Boston. The executive committee issued orders for all free-State men to give into the governing committees all the statements they could which would effect anything in weakening the pro-slavery party. He being further north than any of the other two who were on the committee with him, he had all the statements to take of those north of him, and any other direction that was convenient.

There were many who gave him their statements against the legislature and private individuals. All those who gave him any statements, had it in such language as was capable of being construed into a more dangerous meaning for the pro-slavery party, than what the real definition should be. Many of them told him they were making use of language that would make the pro-slavery party appear to the world more guilty than they in reality were; and no matter how false a meaning was put on their statements, they would be easy in conscience if they could realize their object. Many told him, when called upon, they were willing to swear that thousands of Missourians came over and voted, although he saw none; but admitted to him that they saw no Missourians vote, nor did they know of any who did. He had heard A. H. Reeder urge the people to rebellion and bloodshed, while they listened to him as though he were one of the prophets and patriarchs of old. He had heard men say, who appeared to take and hold

a high position among the abolitionists, openly boast that they had helped to run off negroes from the south into Canada, and hoped the day was near at hand when they would succeed in all their designs, and settle those gentlemen of color along the shores of Kansas, where they could make war on the institutions of the South—particularly of Missouri—till there would not be a slave left in it. Such are the principles of those who keep Kansas in a state of rebellion, and such are the men who are the leaders of the abolitionists—leading them on to thievery, treason, and death.

He has heard Judge Johnson, of the United States supreme court for the Territory, often instruct the people that, when called on to swear in the Territory, they might swear to what suited them, and they would not be perjured, as there was no law in the Territory. Whilst in Lawrence as delegate to the convention of the free-State men to be held at Big Springs, he heard many of the people say many of their people returned after the spring election. There were a great many camps at Lawrence then. Some of those forming the camps told him that they would return to the States in the latter part of the fall. At the fall and winter election for a delegate to Congress, for a State constitution and the formation of a State government, the judges of the polls had instructions publicly, that in case of Indian or other troubles they might adjourn from day to day, and finally to any other district in the Territory, to hold their election. But the private instructions were, if pro-slavery men attempted to vote, and were likely to have a majority, they must adjourn from day to day, and finally to any free-soil district in the Territory. He heard many of the people in Lawrence curse the Emigrant Aid Society of Boston, and say if it did not pay them soon they would return to the States, for it had failed to pay them for some time. He was told by several of the emigrants in Lawrence that the Emigrant Aid Society of Boston paid the expenses of all men who would come out to Kansas to vote for it to be a free State.

The following is an extract from the deposition of Andrew J. Francis:

“Offers were made to me by various persons to introduce me to a secret political organization. The only name I ever received as a member of the lodge was ‘Kansas Regulator.’ The next morning I was conversing with Governor Reeder, Jas. H. Lane, G. P. Lowry, and several others, one by the name of Chapman and one by the name of Hornsby; but both these gentlemen had merely come up to us as we were standing on the corner of the street talking. I had noticed black ribbons tied in the shirt-bosoms of several gentlemen; I noticed one or two tied to Governor Reeder’s shirt-bosom. I made the inquiry as to what those black ribbons meant. Colonel Lane asked me to go with him, and he would show me something that would please me better than what I had seen the night before. The night before I had attended a masonic lodge. Colonel Lane was in the lodge while I was there. I made some reply to Lane, as though awaiting to go with him, saying that I would have to see something that would please me extraordinarily well, if it pleased me better than what I had seen the night before. I went with Colonel Lane to the

law-office of John Hutchison, as I afterwards found out. Governor Reeder did not go into the room where I was initiated. Doctor Robinson was standing just before the door, with a lady, I think. Colonel Lane asked him to leave the lady and go into the office with us. Robinson rather objected at first, but finally came in with us and said he would explain the nature of the organization he was about to initiate me into. The substance of the explanation was that Kansas was a beautiful country and well adapted to freedom, and the best territory in the world for the friends of freedom to operate on, more especially for those who were engaged in the free-white State cause. After proceeding in that strain for awhile, he asked me if I was willing to pledge my word and honor that I would keep secret what I saw there and who I saw there, provided he would pledge his word and honor that there was nothing that would interfere with my duties as a citizen, or that was disloyal in any respect. I replied that I was willing. He then gave me some other instructions that I do not now recollect, of about the same import as the first. Colonel Lane then took me in hand and told me that he could administer the grand obligation, which was done by my repeating after him, as follows:

'I, of my own free will and accord, in the presence of Almighty God and these witnesses, do solemnly swear that I will always hail, forever conceal, and never reveal any of the secrets of this organization to any person in the known world, except it be to a member of the order, or within the body of a just and legal council. I furthermore promise and swear, that I will not write, print, stain, or indite them on anything movable or immovable, whereby the least figure or character may become intelligible to myself or any other person. I furthermore promise and swear, that I will at all times, and under all circumstances, hold myself in readiness to obey, even to death, the orders of my superior officers. I furthermore promise and swear, that I will at all times, and under all circumstances, use my influence to make Kansas a free-white State. I furthermore promise and swear, that all things else being equal, I will employ a free-State man in preference to a Missouri man, or a pro-slavery man. I furthermore promise and swear, that all business that I may transact, so far as in my power, shall be transacted with free-State men. I furthermore promise and swear, that I will at all times, and under all circumstances, hold myself in readiness to take up arms in defence of free-State principles, even though it should subvert the government. I furthermore promise and swear, that I will at all times, and under all circumstances, wear upon my person the regalia of my office and the insignia of the order. I furthermore swear, that I will at all times, and under all circumstances, wear on my person a weapon of death. I furthermore promise and swear, that I will at all times, and under all circumstances, keep in my house at least one gun, with a full supply of ammunition. I furthermore promise and swear, that I will at all times, and under all circumstances, when I see the sign of distress given, rush to the assistance of the person giving it, even when there is a greater probability of saving his life than of losing my own. I furthermore promise and swear, that I will, to the utmost of

my power, oppose the laws of the so-called Kansas legislature. I furthermore promise and swear, that when I hear the words of danger given, I will repair to the place where the danger is. I furthermore promise and swear, that if any part of my obligation is at this time omitted, I will consider the same as binding when legally informed of it. I furthermore promise and swear, that, at the first convenient opportunity, I will commit this obligation to memory. To all of this I solemnly swear, without equivocation or self-evasion, binding myself under the penalty of being declared a perjurer before Heaven and a traitor to my country.'

"I then remarked to Col. Lane, that that was a very serious obligation. He replied it was; and also stated that it was necessary for me to become acquainted with the signs and pass-words. The sign of recognition is given by placing the right thumb under the chin, and the fore-finger of the right hand by the side of the nose, quietly scratching or rubbing it two or three times. The answer to it was given by placing the thumb and fore-finger of the left hand on the lower lip, as if rubbing it. The grip was given by locking the two first fingers of the right hand over each other. The words accompanying the grip are these: The one giving you the grip would ask: 'Are you in favor of Kansas becoming a free State?' The answer was: 'I am, if Missouri is willing.' The means by which persons procured admission into the council was, by going to the door the sentinel would then present himself. The person applying would say 'Kansas,' accenting the last syllable. The person would then advance to the centre of the room and salute the colonel, by placing his right hand just above his forehead. The regalia was this: The private members wore a black ribbon tied upon their shirt-bosoms; the colonel wore a red sash; the lieutenant-colonel a green sash; the major a blue sash; the captains white sashes; the lieutenants yellow sashes; the orderly-sergeant a very broad black ribbon upon the shirt-bosom. Col. Lane then remarked to me that I had been made acquainted with the principles of the institution, and that it was the determination of the free-State party not to submit to the laws of the legislature, or to any opposition that might come from Missouri or any other quarter. I remarked to the Colonel that I was sworn to support those laws in taking my oath as a lawyer, and that I considered that that oath was administered by a higher power than he exercised, and hence I should not keep the obligation he had given to me; and under no circumstances would I do anything to subvert the institutions of the country, or place myself in opposition to the laws; and he might depend upon it, I would expose it the first convenient opportunity. I also told him I could not consistently keep both obligations that had been imposed upon me; that I was also a member and minister of a religious denomination, and that it would not be consistent with my Christian duties to keep the obligation he had imposed on me; that I should most certainly, when the subject came up, expose it. He stated then to me, that if that was my determination, and I did express myself so publicly, I would hardly get away from the city with my life. I replied to him that I would express myself so under all circumstances, both in public and private."

It now being most fully shown, as the undersigned believes, that the anti-slavery party formed secret political organizations of a military character to resist, with force of arms, the execution of the laws of the Territory, and to defend themselves against any effort which might be made by officers to enforce obedience to the laws and authorities of the Territory; after preparing the minds of the people to embark in any measures, however reckless and desperate in their nature and characters, the primary objects of these seditions, secret associations were boldly developed at a convention held by the anti-slavery party at Big Springs on the 5th and 6th days of September, 1855. But, before proceeding further in relation to this convention, the undersigned deems it proper to remark, that after the legislative election in March, 1855, Governor Reeder issued his proclamation, convening the legislature at Pawnee city, upon the express understanding that if there were not sufficient accommodations there for the members and officers of the legislature, they could, strictly in accordance with the provisions of the organic act, adjourn to any other point in the Territory, and if they did so he would co-operate with them. In proof of this, reference is made to the testimony of the Rev. Thomas Johnson, a member of the council. The legislature consequently met at Pawnee city. They remained there but a short time, as they found no accommodations for the members and officers of the legislature, the great majority of them having to camp out and cook their own provisions, there not being boarding-houses in the place sufficient to receive and accommodate them. The cholera also broke out there, and several deaths occurred in consequence. The legislature then adopted a resolution adjourning to Shawnee Mission. It is evident that Pawnee city was not a suitable place for the convening of the legislature, because of the absence of all accommodations for members, as well as being 145 miles from the Missouri river, whence they derived chiefly their supplies for subsistence. The house in which they were convened had neither doors nor windows, and but a temporary floor.

While in session, however, at Pawnee, the governor recognised them as a legally constituted legislative body, as will be more fully shown by reference to his message to that body; but, after they removed to Shawnee Mission, he vetoed all the bills they passed, of every description, upon the ground that they were sitting then at a place not authorized by law—the only ground alleged.

Meanwhile, "The governor, instead of exercising constant vigilance, and putting forth all his energies to prevent or counteract the tendencies to illegality which are prone to exist in all imperfectly organized and newly associated communities, allowed his attention to be diverted from his official obligations by other interests, and himself set the example of a violation of law in the performance of acts which [as it seems] rendered it the duty of the President of the United States, in the sequel, to remove him from the office of chief executive magistrate of the Territory."

The undersigned, in proof of the want of accommodations at Pawnee city, refers to the testimony of Rev. Thomas Johnson, member of the council, A. S. Johnson, Thomas Barbee, Wm. G. Matthias, and other

members of the legislature, as taken before a justice of the peace, and properly certified, which the undersigned begs to have considered a part of this report.

After the removal of Governor Reeder, chagrined as he evidently was, he is found an active member of the Big Springs convention, held on the 5th and 6th days of September; at which convention, as it is proven by the testimony of Marcus J. Parrott, a free-State man, and a member of the free-State legislature, taken before your committee, the following resolutions, drawn up in the hand-writing of Gov. Reeder, were adopted. They are taken by the undersigned from a certified copy of the proceedings of said convention, in evidence before your committee, and are as follows:

Resolved, That we owe no allegiance or obedience to the tyrannical enactments of this spurious legislature; that their laws have no validity or binding force upon the people of Kansas, and that every freeman amongst us is at full liberty, consistently with all his obligations as a citizen and a man, to defy and resist them, if he chooses to do so.

Resolved, That we will resist them, primarily, by every peaceable and legal means within our power, until we can elect our own representatives, and sweep them from the statute-book; and that, as the majority of the supreme court have so far forgotten their official duty, have so far cast off the honor of the lawyer and the dignity of the judge, as to enter, clothed with the judicial ermine, into a partisan contest, and by an extrajudicial decision, given opinions in violation of all propriety, have prejudged our case before we could be heard, and have pledged themselves to these outlaws in advance to decide in their favor, we will, therefore, take measures to carry the question of the validity of these laws to a higher tribunal, where judges are unpugged and dispassionate, where the law will be administered in its purity, and where we can at least have the hearing before the decision.

Resolved, That we cannot and will not quietly submit to surrender our great 'American birthright'—the elective franchise—which, first by violence, and then by chicanery, artifice, weak and wicked legislation, they have so effectually accomplished to deprive us of, and that we with scorn repudiate the 'election law,' so-called, and will not meet with them on the day they have appointed for the election, but will ourselves fix upon a day for the purpose of electing a delegate to Congress.

Resolved, That we will endure and submit to these laws no longer than the best interests of the Territory require, as the least of two evils, and will resist them to a bloody issue, as soon as we ascertain that peaceful remedies shall fail and forcible resistance shall furnish any reasonable prospect of success; and that, in the mean time, we recommend to our friends throughout the Territory the organization and discipline of volunteer companies, and the procurement and preparation of arms."

And, finally, as the natural result of the foregoing proceedings of the free-soil party in the Territory, the laws were violated, their execution openly resisted by them, till at length came the difficulties at Lawrence, in the fall of 1855, and after the Big Springs convention;

in regard to which, as the most reliable testimony taken by your committee, the undersigned begs to refer to the evidence of Governor Wilson Shannon, which is as follows: "That, as to the origin, progress, and conclusion of the difficulties at Lawrence last fall, (1855,) he begs leave to refer to his two despatches to the President of the United States, with the accompanying documents—the first dated on the 28th day of November, and the second on the 11th day of December, 1855—as containing what deponent believes to be a correct history and account of those transactions."

The following are the despatches and documents referred to by the witness:

EXECUTIVE OFFICE, SHAWNEE MISSION,
Kansas Territory, November 28, 1855.

SIR: Affairs in this Territory are daily assuming a shape of real danger to the peace and good order of society. I am well satisfied that there exists in this Territory a secret military organization which has for its object, among other things, resistance to the laws by force.

Until within a few days past I have looked upon the threats of leading men and public papers who have placed themselves in an attitude of resistance to the laws, as not intended by those who made them to be carried into execution. I am now satisfied of the existence of this secret military organization, and that those engaged in it have been secretly supplied with arms and munitions of war, and that it is the object and purpose of this organization to resist the laws by force. The strength of this organization is variously estimated at from one to two thousand, but I have no satisfactory data from which to estimate its real strength, and I do not believe they can command for any given purpose more than one thousand men. They are said to be well supplied with Sharpe's rifles and revolvers, and that they are bound by an oath to assist and aid each other in the resistance of the laws when called upon so to do. Independent of the disclosures made by those who formerly belonged to this association and the hints thrown out in some of the public journals in their interest, the most practical proof of the truth of these allegations consists in their own acts. A few days since a difficulty took place in Douglas county, some ten miles south of Lawrence, between one of these men and a man by the name of Coleman, from Virginia, in relation to a claim; in which the former was shot and died immediately. Coleman was taken into custody for trial, by the sheriff of that county, and to avoid all ground of objection as to legal authority, Judge Leecompte was written to and requested to attend at the county seat (it being in his judicial district) and sit as an examining court. In the mean time a large body of armed men, said to be from three to four hundred, collected at and near Lawrence for the avowed purpose of rescuing Coleman from the sheriff and executing him without a trial. Coleman claims that he shot the man strictly in self-defence, and is willing to abide a judicial investigation and trial. On Monday last a warrant was issued against one of this band of men for threatening the life of one of his neighbors, and placed in the hands of the sheriff of the county for execution, who, with a posse of some ten men, arrested him on Tuesday night, and as he was convey-

ing the prisoner to Lecompton, he was met about two o'clock in the morning by a band of these men, consisting of between forty and fifty, all armed with Sharpe's rifles and revolvers, who forcibly rescued the prisoner out of his hands, and openly proclaimed that there were no officers or law in this Territory. In the settlement in which these transactions took place there were from sixteen to twenty law and order families, and about one hundred free-soil families. At the last advices three of the houses of the former had been burnt down by this armed band.

Cattle had been killed, and a considerable amount of corn and other personal property destroyed, and the whole law and order population of that neighborhood, induced by terror, had fled, except two families, whose lives were threatened. Helpless women and children have been forced by fear and threats to flee from their homes, and seek shelter and protection in the State of Missouri. Measures were being taken by the legal authorities to procure warrants against these lawless men, and have them arrested and legally tried. Under these circumstances the sheriff of the county has called on me for three thousand men to aid him in the execution of the warrants in his hands, and to protect him and his prisoner from the violence of this armed force. The force required by the sheriff is far beyond what I believe to be necessary, and indeed far beyond what could be raised in this Territory. From five to eight hundred men will be amply sufficient, I have no doubt, to protect the sheriff, and enable him to execute the legal process in his hands. With the view of giving to the sheriff the requisite aid, I have issued orders to Major General Richardson, of the northern division of militia of this Territory—a prudent and discreet man—a copy of which I send you herewith. I also send you a copy of a request I have made of General Strickler, who resides in the adjoining county to Douglas. These are the only orders I have thought it necessary to issue, by means of which I believe a sufficient force will be raised to protect the sheriff, and enable him to execute the legal process in his hands.

The time has come when this armed band of men, who are seeking to subvert and render powerless the existing government, have to be met and the laws enforced against them, or submit to their lawless dominion. If the lives and property of unoffending citizens of this Territory cannot be protected by law, there is an end to practical government, and it becomes a useless formality.

The excitement along the border of Missouri is running wild, and nothing but the enforcement of the laws against these men will allay it. Since the disclosure of the existence and purposes of this secret military organization in this Territory, there has been much excitement along the borders of Missouri, but it has been held in check, heretofore, by assurances that the laws of the Territory would be enforced, and that protection would be given to the citizens against all unlawful acts of this association. This feeling and intense excitement can still be held in subordination if the laws are faithfully executed; otherwise there is no power here that can control this border excitement, and civil war is inevitable. This military organization is looked upon as hostile to all southern men, or rather to the law and

order party of the Territory, many of whom have relations and friends, and all have sympathizers, in Missouri, and the moment it is believed that the laws will not furnish adequate protection to this class of citizens against the lawless acts of this armed association, a force will be precipitated across the line to redress real and supposed wrongs inflicted on friends that cannot be controlled, or for the moment resisted. It is in vain to conceal the fact: we are standing on a volcano, the upheavings and agitations beneath we feel, and no one can tell the hour when an eruption may take place. Under existing circumstances the importance of sustaining the sheriff of Douglas county, and enabling him to execute his process, independent of other considerations connected with the peace and good order of society, will strike you at once; and to do this by the aid and assistance of the citizens of this Territory is the great object to be accomplished, to avoid the dreadful evils of civil war. I believe this can be done; in this, however, I may be mistaken. No efforts shall be wanting on my part to preserve good order in the Territory, and I will keep you constantly advised of the progress and state of things here.

I have the honor to be, your obedient servant,

WILSON SHANNON.

His Excellency FRANKLIN PIERCE.

HEADQUARTERS, SHAWNEE MISSION,

Kansas Territory, November 27, 1855.

SIR: Reliable information has reached me that an armed military force is now in Lawrence and that vicinity, in open rebellion against the laws of this Territory, and that they have determined that no process in the hands of the sheriff of that county shall be executed. I have received a letter from S. J. Jones, sheriff of Douglas county, informing me that he had arrested a man under a warrant placed in his hands, and while conveying him to Leecompton he was met by an armed force of some forty men, and that the prisoner was taken out of his custody, and open defiance bid to the law. I am also duly advised that an armed band of men have burnt a number of houses, destroyed personal property, and turned whole families out of doors in Douglas county. Warrants will be issued against those men, and placed in the hands of the sheriff of Douglas county for execution. He has written to me, demanding three thousand men to aid him in the execution of the process of the law and the preservation of peace.

You are, therefore, hereby ordered to collect together as large a force as you can in your division, and repair without delay to Leecompton, and report yourself to S. J. Jones, the sheriff of Douglas county, together with the number of your forces, and render to him all the aid and assistance in your power, if required in the execution of any legal process in his hands. The forces under your command are to be used for the sole purpose of aiding the sheriff in executing the law, and for no other purpose.

I have the honor to be, your obedient servant,

WILSON SHANNON.

Major General WILLIAM P. RICHARDSON.

HEADQUARTERS, SHAWNEE MISSION,
Kansas Territory, November 27, 1855.

SIR: I am this moment advised, by letter from S. J. Jones, sheriff of Douglas county, that while conveying a prisoner to Leecompton, whom he has arrested by virtue of a peace warrant, he was met by a band of armed men, who took said prisoner forcibly out of his possession, and bid defiance to the execution of all law in this Territory. He has demanded of me three thousand men to aid him in the execution of the legal process in his hands. As the southern division of the militia of this Territory is not organized, I can only request you to collect together as large a force as you can, and at as early a day as practicable report yourself, with the forces you may raise, to S. J. Jones, sheriff of Douglas county, and to give him every assistance in your power, in the execution of the legal process in his hands. Whatever forces you may bring to his aid are to be used for the sole purpose of aiding the said sheriff in the execution of the law, and no other. It is expected that every good citizen will aid and assist the lawful authorities in the execution of the laws of the Territory and the preservation of good order.

Your obedient servant,

WILSON SHANNON.

General H. J. STRICKLER.

EXECUTIVE OFFICE, SHAWNEE MISSION,
Kansas Territory, December 11, 1855.

SIR: In my despatch to you of the 28th ultimo, I advised you of the threatened difficulties in relation to the execution of the laws of this Territory in Douglas county. The excitement which then existed continued to increase, owing to the aggravated reports from Lawrence and that vicinity in relation to the military preparations that were being made to attack the sheriff and resist the execution of the laws. The excitement increased and spread, not only throughout this whole Territory, but was worked up to the utmost point of intensity in the whole of the upper portion of Missouri. Armed men were seen rushing from all quarters towards Lawrence, some to defend the place, and others to demolish it. The orders I had issued to Major General Richardson and General Strickler had brought to the sheriff of Douglas county a very inadequate force for his protection, when compared with the forces in the town of Lawrence. Indeed, the militia of the Territory being wholly unorganized, no forces could be obtained except those who voluntarily tendered their aid to the sheriff, or to Generals Richardson and Strickler. The whole force in the Territory thus obtained did not amount to more than three or four hundred men, badly armed, and wholly unprepared to resist the forces in Lawrence, which amounted, at that time, to some six hundred men; all remarkably well armed with Sharpe's rifles and other weapons. These facts becoming known across the line, in the State of Missouri, large numbers of men from that State, in irregular bodies, rushed to the

county of Douglas, and many of them enrolled themselves in the sheriff's posse. In this state of affairs, I saw no way of avoiding a deadly conflict but to obtain the use of the United States forces at Fort Leavenworth, and with that view I addressed you a telegraphic despatch, and received on the 5th instant your very prompt and satisfactory reply of the 4th instant, a copy of which I immediately transmitted, by special despatch, to Colonel Sumner, with the request that he would accompany me with his command to the scene of difficulty. In reply, I was informed he would immediately do so, having no doubt that in due time proper instructions would be received from the War Department. Information, however, which I received from both parties, convinced me that my presence was necessary to avoid a conflict, and without waiting for Colonel Sumner, I repaired to the seat of threatened hostilities, at the same time advising Colonel Sumner, by special despatch, of this movement. On my way to Lawrence, I met a despatch from Colonel Sumner, informing me that, upon reflection, he had changed his determination, and that he would not march with his command until he had received orders from the proper department, but that he would be ready to move with his command the moment such orders came to hand. I proceeded as rapidly as possible to the camp of General Strickler, on the Wakarusa, six miles east of Lawrence, and arrived in camp about three o'clock on the morning of the sixth instant. I found that General Strickler, as well as General Richardson, had very judiciously adopted the policy of incorporating into their respective commands all the irregular forces that had arrived. This was done with the view of subjecting them to military orders and discipline, and to prevent any unlawful acts or outbreaks. The great danger to be apprehended was from an unauthorized attack on the town of Lawrence, which was being strongly fortified, and had about one thousand and fifty men, well armed, to defend it, with two pieces of artillery, while, on the other side, there was probably in all near two thousand men, many of them indifferently armed, but having a strong park of artillery. I found in the camp at Wakarusa a deep and settled feeling of hostility against the opposing forces in Lawrence, and apparently a fixed determination to attack that place and demolish it and the presses, and take possession of their arms. It seemed to be a universal opinion in the camp that there was no safety to the law and order party in the Territory while the other party were permitted to retain their Sharpe's rifles, an instrument used only for war purposes. After mingling with all the leading men in the Wakarusa camp, and urging on them the importance of avoiding a conflict of arms, that such a step would probably light the torch of civil war and endanger the very Union itself, I still found that there was a strong desire with all, and a fixed determination with many, to compel the forces in Lawrence to give up their arms. Believing that such a demand would lead to a conflict which, if once commenced, no one could tell where it would end, and seeing no way to avoid it except by the aid of the United States forces, I again wrote another communication to Colonel Sumner, and sent it to him by special despatch about three o'clock on the morning of the 7th instant, requesting his presence; a copy of which I send you herewith, marked E. I received no reply

until my return to this place, after the difficulty had been arranged. I send you a copy of this reply, marked F. Early on the morning of the 7th instant I repaired to the camp at Lawrence, and found them busily engaged in their fortifications and in drilling their forces, and had a full and satisfactory interview with the committee appointed by the forces in Lawrence, in relation to the impending difficulties. So far as the execution of the laws was concerned, we had no difficulty in coming to a satisfactory understanding. It was at once agreed that the laws of the Territory should have their regular course, and that those who disputed their validity should, if they desired to do so, test that question in the judicial tribunals of the country; that, in the mean time, no resistance should be made to their due execution, and the citizens of Lawrence and vicinity were, when properly called on, to aid in the arrest of any one charged with their violation, and aid and assist in the preservation of the peace and good order of society; while, on my part, I gave them every assurance in my power that they should be protected in all their rights and defended against any unlawful aggressions. It is proper I should say, that they claimed that a large majority of them had always held and inculcated the same views. The assurances I received entirely satisfied me that no one against whom a writ had issued was then in Lawrence; that they had all fled, and that they were harboring, concealing, or defending no one against whom a writ had been issued, and that hereafter there would be no combined effort made to prevent the service of any process in the county of Douglas. This was entirely satisfactory, and all that had been desired. But to satisfy the forces that surrounded Lawrence, so that they could be induced to retire in order, was the great difficulty to be overcome. To issue an order to the sheriff to disband his *posse*, and to Generals Richardson and Strickler to disband their forces, would have been to let loose this large body of men, who would have been left without control to follow the impulse of their feelings, which evidently was to attack and disarm the people of Lawrence. Early on the morning of the 8th, through the influence of some leading men, I procured thirteen of the leading captains in the Wakarusa camp to be appointed a committee to confer with a committee from the Lawrence camp, to meet at Franklin, midway between the two hostile forces. I proceeded to the Lawrence camp, and returned to Franklin in the evening, with the committee, where the proposed interview took place. This interview, which lasted for some time, resulted in producing a better state of feeling, and the committee from the Wakarusa camp were satisfied to retire without doing anything more, and so reported to the army. This, with the active exertions of myself and others, produced a better feeling among the men, and by daylight on the morning of the 9th, I felt I could with safety order the forces to disband, and accordingly did so. They retired in order, and refrained from any act of violence, but it was evident there was a silent dissatisfaction at the course I had taken. But I felt conscious I was right, and that my course would be sanctioned alike by the dictates of humanity and sound policy. I returned to Lawrence on the 9th, and remained until the morning of the 10th, when, everything being quiet and safe, I returned to this

place. Everything is quiet now; but it is my duty to say to you, frankly, that I have forebodings as to the future. The militia or volunteer corps cannot be relied on to preserve the peace in these civil party contests, or where partisans are concerned. A call on the militia will generally only bring in conflict the two parties. I am satisfied that the only forces that can be used in this Territory in enforcing the laws, or preserving the peace, are those of the United States, and with this view I would suggest that the executive of this Territory be authorized to call on the forces of the United States when, in his judgment, the public peace and tranquillity, or the execution of the laws, may require their assistance. Should there be an outbreak, it will most probably be sudden, and before orders can be obtained from Washington the crisis will have passed. I send you herewith the copies of various affidavits, letters, &c., which will give you some information in detail touching the subject-matter of this despatch.

I have the honor to be, your obedient servant,

WILSON SHANNON.

His Excellency FRANKLIN PIERCE.

UNITED STATES OF AMERICA, }
Territory of Kansas. } ss.

Be it remembered, that on this sixth day of December, in the year A. D. 1855, personally appeared before me, J. M. Burrell, one of the associate justices of the supreme court of the said Territory of Kansas, Harrison Buckley, of lawful age, who being by me duly sworn, saith that he is a citizen of the county of Douglas, and has resided therein since 30th day of March last, and has resided during all that time at Hickory Grove; that he was informed on good authority, and which he believed to be true, that Jacob Branson had threatened his life, both before and after the difficulty between Coleman and Dow, which led to the death of the latter. I understood that Branson swore that deponent should not breathe the pure air three minutes after I returned, this deponent at this time having gone down to Westport, in Missouri; that it was these threats, made in various shapes, that made this deponent really fear his life, and which induced him to make affidavit against the said Branson, and procure a peace warrant to issue, and be placed in the hands of the sheriff of Douglas county; that this deponent was with the said sheriff (S. J. Jones) at the time the said Branson was arrested, which took place about two or three o'clock in the morning; that Branson was in bed when he was arrested by said sheriff; that no pistol or other weapon was presented at the said Branson by any one; that after the arrest, and after the company with the sheriff had proceeded about five miles in the direction of Lecompton, the county seat of Douglas county, the said sheriff and his posse were set upon by about between thirty and forty men, who came out from behind a house, all armed with Sharpe's rifles, and presented their guns cocked, and called out who they were; and said Branson replied that they had got him a prisoner; and these armed men called on him to come away. Branson then went over on their side, and

sheriff Jones said they were doing something they would regret hereafter in resisting the laws; that he was sheriff of Douglas county, and, as such, had arrested Branson. These armed men replied that they had no laws, no sheriff, and no governor, and that they knew no laws but their guns. The sheriff, being overpowered, said to these men, that if they took him by force of arms he had no more to say, or something to that import, and then we rode off. This deponent further states that there have been three houses burned in the Hickory Point settlement; one was this deponent's house, another belonged to Josiah Hargis, and the third to said Coleman. All I had in the world was burned up, leaving my wife and children without clothing. This deponent's wife and four children fled to Missouri, where they still remain with their relatives. The house of deponent was burned down, as it is said, shortly before daylight in the morning. The wives and children of both Coleman and Hargis also fled to Missouri, where they still remain. There were about fifteen or sixteen law-abiding families in the settlement called the Hickory Grove settlement about the time these difficulties sprung up; they have all been forced by terror and threats of these armed men to flee with their wives and children to the State of Missouri for protection, and still remain there. These armed men have repeatedly in my presence said that they would resist the law by force, and there was no law in this Territory. These threats have been repeatedly made by these men for the last three months. And further this deponent saith not.

H. H. BUCKLEY.

Sworn and subscribed the day and year above stated, before me.

J. M. BURRELL,

Associate Justice Supreme Court, Kansas Territory.

UNITED STATES OF AMERICA, }
Territory of Kansas. } ss.

Be it remembered, that on this 7th day of December, A. D. 1855, personally came before me, S. G. Cato, one of the associate justices of the supreme court of the Territory of Kansas, Josiah Hargis, of lawful age, who being by me duly sworn, deposeeth and saith, that on or about the 26th day of November, 1855, in Douglas county, sheriff Jones called upon me, with nine others, to act as a posse to arrest one Jacob Branson, under a peace warrant issued by Hugh Cameron, a justice of the peace; that he proceeded with said sheriff to Hickory Point, in said county, and there arrested said Branson, with whom they proceeded in the direction of Lawrence. When near a house on the Wakarusa an armed mob of persons, amounting to between thirty and forty, rushed from behind said house, and by force did rescue said Branson out of the hands of said sheriff and posse, and in defiance of said sheriff's command, take said Branson and refuse to deliver him to said sheriff. That the said sheriff told the said mob that he held said Branson under a peace warrant properly issued by a legally authorized officer; and that he was sheriff of said county of Douglas,

and charged with the execution of said writ. The leader of said mob replied to said officer that they knew him as Mr. Jones, but not as sheriff of Douglas county. He then told them that he would call out the militia to enforce the law. Their reply was that he could not get men to enforce said law. He told them then that he would call on the governor for assistance; to which the said mob replied that they had no laws and no officers, and to pitch in. Said mob stood with their guns cocked and presented at the time of said rescue.

This deponent further saith, one H. H. Buckley, of said county of Douglas, was with said sheriff at the time of said rescue, as one of said sheriff's posse; that during the same night on which said rescue was made, said affiant saw a light in the direction of said Buckley's house, and that he fully believes said house was at that time burned. That he believes, from circumstances within his knowledge, that said house, together with his own, was burned by persons concerned with said mob; and that he has reason to believe that some of said houses were fired by said Branson aforesaid, assisted by a German, commonly called Dutch Charley; and they were counselled and advised thereto by one Farley. This affiant further says, that at the time of the rescue of said prisoner he was at a house near Hickory Point, and that he there saw three women, who told him that there had been an armed force that day who notified them to leave, and all other pro-slavery families in the neighborhood; and since, said families have left said neighborhood and fled to the State of Missouri. Said affiant says that he believes there were at that time in said neighborhood about fifteen pro-slavery families, nearly all of whom have fled, as aforesaid, to the State of Missouri, for protection. Said armed force was represented to consist of from one hundred to one hundred and fifty armed men.

S. N. HARGIS.

Sworn and subscribed before me.

S. G. CATO,

Associate Justice of Kansas Territory.

In relation to events which have transpired since the appointment of your committee, the majority of your committee use this language: "Your committee did not deem it within their power or duty to take testimony as to events which have transpired since the date of their appointment." The undersigned begs to say, that the majority of your committee did, however, take testimony as to events which "transpired since the date of their appointment." They admitted to record the testimony of Pardee Butler, as to his being tarred and cottoned at Atchison, and that of others touching other events, all happening after the date of their arrival in Kansas Territory, and consequently after that of their appointment. Having admitted testimony as to some events of the kind, it was but justice to all parties that counter testimony, relating to those as well as other events of the same kind, should be admitted. And thus the undersigned thought, when the counsel of General Whitfield sought to introduce evidence as to the Pottawatomie Creek murders, and other outrages. Having established a precedent, it was inconsistent for the majority of your

committee to refuse to take such testimony upon the ground that they had no "power," and that it was not their "duty" to investigate occurrences that "transpired since the date of their appointment." They exercised such a "power," and in part fulfilled such a "duty," when they took testimony prejudicial to the pro-slavery party; but when testimony unfavorable to the free-State party was sought to be introduced, it was then, and not till then, that the majority of your committee concluded that it was not within "their power or duty to take testimony as to events which transpired since the date of their appointment." But the majority of your committee extricated themselves from the dilemma in which they had, in this regard, placed themselves, by expunging testimony favorable to the free-State party side—testimony already received in relation to alleged violence shown to Pardee Butler and others, so that they could consistently refuse to admit testimony as to outrages committed by the free-State people, which in savage barbarity and demonic cruelty have scarcely an equal in the history of civilized man. But, notwithstanding that the majority deemed it without their "power or duty" to investigate matters occurring since the time of their appointment, they have reported, and in their report dwelt with much warmth of expression upon, events which they admit "transpired since the date of their appointment"—events for which they do not claim to have a shadow of authority for their truth except vague rumor, and for which in fact there is none as yet shown; and the testimony in regard to at least one of which events they had expunged from the record, to wit, the tarring and cottoning of Pardee Butler. The undersigned is of the opinion, that if the majority of your committee are justified in reporting and dwelling upon occurrences for the truth of which they offer no proof, he is equally, if not much more strongly justified, in reporting and dwelling upon occurrences for the proof of which he has sworn testimony. The majority of your committee having presented, in their report, scarcely anything but what is favorable to the abolition party in Kansas and prejudicial to the law and order party, the undersigned deems it a duty, no less to the House than to the country and the cause of truth, to give some facts on the other side favorable to the other party in Kansas, so that in presenting both sides, the world may have a fair chance to get at the truth, and arrive at a just conclusion. The minority of your committee (the majority having alluded, in their report, to events as to which they refused to take testimony) has fortunately been furnished with sworn testimony to which he desires to refer, and which he considers important to lay before the House and the public. First in order of time are the murders committed on the night of the 24th of May, 1856, on Pottawatomie creek. In this massacre, it is known that five persons were killed in one night, viz: Allen Wilkinson, William Sherman, William P. Doyle, father, and William and Drury Doyle, sons. The undersigned begs leave to refer to various affidavits which he appends to and makes a part of his report.

Allen Wilkinson was a member of the Kansas legislature—a quiet, inoffensive man. His widow, Louisa Jane Wilkinson, testifies, that on the night of the 24th of May last, between the hours of midnight

and day-break, she thinks, a party of men came to the house where they were residing and forcibly carried her husband away; that they took him in the name of the "Northern Army," and that next morning he was found about 150 yards from the house, dead. Mrs. Wilkinson was very ill at the time with measles. Here follows an extract from her affidavit: "I begged them to let Mr. Wilkinson stay with me, saying that I was sick and helpless, and could not stay by myself. My husband also asked them to let him stay with me until he could get some one to wait on me; told them that he would not run off, but would be there the next day, or whenever called for; the old man who seemed to be in command looked at me, and then around at the children, and replied, 'you have neighbors.' I said, 'so I have, but they are not here, and I cannot go for them.' The old man replied, 'it matters not,' and told him to get ready. My husband wanted to put on his boots, and get ready, so as to be protected from the damp and night air, but they would not let him. They then took my husband away. * * * After they were gone I thought I heard my husband's voice in complaint. * * * Next morning Mr. Wilkinson's body was found about 150 yards from the house, in some dead brush. A lady, who saw my husband's body, said that there was a gash in his head and his side. Others said that he was cut in the throat twice." Mr. Wilkinson was a poor man, and of course his widow was left destitute; but, regardless of this fact, they took away some property, including the only horse they had. Mrs. Wilkinson was presented at Westport, Missouri, with the necessary means to go to her father's in Tennessee. She has two small children. Mrs. Wilkinson's description of the leader of the men who murdered her husband suits Captain John Brown, a well known character in the abolition party. She says that her husband was a quiet man, and was not engaged in arresting or disturbing anybody. He took no active part in the pro-slavery cause, so as to aggravate the abolitionists; but he was a pro-slavery man.

The circumstances attending William Sherman's assassination are testified to by Mr. James Harris, of Franklin county, Kansas. Mr. Sherman was staying over night at the house of Harris, when, on the night of the 24th of May, about two o'clock, Captain John Brown and party came there, and after taking some property and questioning Harris and others, Sherman was asked to walk out. Mr. Harris, in his affidavit, says: "Old man Brown asked Mr. Sherman to go out with him, and Sherman then went out with Brown. I heard nothing more for about fifteen minutes. Two of the 'Northern Army,' as they styled themselves, staid with us until we heard a cap burst, and then these two men left. Next morning, about ten o'clock, I found William Sherman dead in the creek near my house. I was looking for him; as he had not come back, I thought he had been murdered. I took Mr. William Sherman (body) out of the creek and examined it. Mrs. Whiteman was with me. Sherman's skull was split open in two places, and some of his brains were washed out by the water; a large hole was cut in his breast, and his left hand was cut off, except a little piece of skin on one side."

In relation to the assassination of James P. Doyle and sons, the

affidavit of Mrs. Mahala Doyle, the widowed mother, was procured. William Doyle, one of the murdered, was twenty-two years of age; Drury Doyle, the other, was twenty years of age. Mrs. Doyle was left very poor, with four children—one of them only eight years old—to support. Mrs. Doyle testifies: "That a party of armed men came to her house about 11 o'clock, she thinks, on the night of the 24th of May; they first inquired where Mr. Wilkinson lived, and then made Mr. Doyle open his door, and went into the house, saying they were from the 'Army of the North,' and asking them to surrender." Says Mrs. Doyle: "They first took my husband out of the house, then they took two of my sons—the two eldest, William and Drury—out, and then took my husband and the two boys away. My son John (sixteen years old) was spared because I asked them, in tears, to spare him. In a short time afterwards I heard the report of pistols—two reports; after which I heard moaning, as if a person was dying; then I heard a wild whoop. * * * I went out next morning in search of them, and found my husband and William, my son, lying dead in the road, near together, about two hundred yards from the house. They were buried the next day. On the day of the burying I saw the dead body of my son Drury. Fear for myself and the remaining children induced me to leave the home which we had been living at, and I went to the State of Missouri."

The testimony of John Doyle goes to corroborate that of his mother. Here follows an extract: "I found my father and one brother (William) lying dead in the road, about two hundred yards from the house. I saw my other brother lying dead on the ground, about one hundred and fifty yards from the house, in the grass, near a ravine. His fingers were cut off; his head was cut open; there was a hole in his breast. William's head was cut open, and a hole was in his jaw, as though it was made by a knife, and a hole was also in his side. My father was shot in the forehead and stabbed in the breast. I have talked often with northern men and eastern men in the Territory, and these men talked exactly like eastern men and northern men talk—that is, their language and pronunciation were similar to those of eastern and northern men with whom I had talked. An old man commanded the party; he was of dark complexion, and his face was swarthy. My father and brothers were pro-slavery men, and belonged to the *law and order party*."

There seems to be little or no doubt that a certain notorious leader of the free-State party (as they call themselves) in Kansas, whose name it is not here deemed proper to give, was at the head of the party engaged in this fiendish massacre. Mr. Harris testifies that one John Brown, one of the leaders of the free-State party, was engaged in the killing of Sherman, and it will hardly be doubted that they who murdered Sherman also killed the rest—all being murdered on the same night and in the same neighborhood. Those who were killed, it is testified, were pro-slavery people; and the undersigned has no hesitation in saying that these ill-fated men were deprived of their lives, and their wives and children made widows and orphans, in consequence of the insurrectionary movements instigated and set on foot by the reckless leaders of the Topeka convention.

Next in order are the outrages committed on the property of Mor-ton Bourn and that of J. M. Bernard. The affidavit of Mr. Bourn shows that, on the night of Wednesday, the 28th day of May, 1856, a party of abolitionists entered his house forcibly, threatened to take his life if he did not leave the Territory immediately; took all the money he had, which they said they wanted to carry on the war. They also took guns, saddles, and horses, and then robbed his store of various articles. Mr. Bourn, on oath, says: "I own slaves, and have a crop of corn and wheat growing. Have never taken any active part with the pro-slavery party, only voted the pro-slavery ticket, and was for sustaining the laws." * * * These men said I must leave in a day or two or they would kill me, or hinted as much—said I would not fare well, or words to that effect. I left for fear of my life and the lives of my family. They said that the war was commenced, that they were going to fight it out, and drive the pro-slavery people out of the Territory, or words to that amount. The men that robbed my house and drove me away from my property were abolitionists, or free-soilers. * * * I believe they hated me so because I am a pro-slavery man, and in favor of the Territorial laws, and because I served on the last grand jury at Leocompton."

But the most flagrant case of robbery that occurred while your committee were in Kansas was the plundering of Mr. Joab Bernard's store and premises. Mr. Bernard is quite a young man, and of highly respectable family. While prosecuting his business, he was warned that his life was in danger, and was compelled to leave his home for safety; and during his absence his store was robbed of nearly four thousand dollars' worth of goods and money, and his premises of cattle and horses of the value of at least one thousand more. The facts of this case are testified to by Messrs. John Miller and Thomas S. Hamilton. Mr. Bernard testifies himself as to his life being threatened, and the amount of goods in his store and other property on the premises. Messrs. Miller and Hamilton corroborate his testimony, and the undersigned makes their depositions a part of his report. St. Bernard, J. M. Bernard's place, is situated in Douglas county, on the California and Fort Scott road, about thirty miles from Leocompton. The robbery took place on the 27th day of May, 1856. In his affidavit, Mr. Miller says: "I was in the store with Mr. Davis. Whilst there a party of thirteen men came to the store on horseback, armed with Sharpe's rifles, revolvers, and bowie-knives. They inquired for Mr. Bernard. I told them that he had gone to Westport. One of them said to me, 'You are telling a God damned lie,' and drew up his gun at me. Some of them came into the store, and the rest remained outside. They called for such goods as they wanted, and made Mr. Davis and myself hand them out, and said if we 'didn't hurry' they would shoot us. They had their guns ready. After they had got the goods—they wanted principally blankets and clothing—they packed them upon their horses and went away. Mr. Joab Bernard is a pro-slavery man." Mr. Miller recognised one of the party as an active free-State man. They on the next day came back with a wagon, and took the remainder of the goods in the store, except about one hundred and fifty dollars' worth—including flour, sugar, coffee, bacon,

and all kinds of provisions, as well as two fine horses, three saddles, two bridles, and all the money there was in the store. In the conclusion of his affidavit, Mr. Miller says: "When they first came, they looked up at the sign, and said they would like to shoot at the name." The affidavits accompanying this report are full and explanatory, and the undersigned begs to make them a part of his report. They are sworn to before a justice of the peace for Jackson county, Missouri, and the seal of the Jackson county court is attached to the clerk's certificate, as to the official character of the justice of the peace. The undersigned thinks that, in reviewing these outrages, he did not inappropriately characterize the Pottawatomie creek murders as instances of "savage barbarity and demoniac cruelty," while the robberies of Bourn and Bernard are almost without parallel in the history of crime in this country. In this connexion, the undersigned deems it proper to state that the report so currently circulated throughout the country, to the effect that the lamented Wilkinson, Sherman, and the Doyles were caught in the act of hanging a free-State man, and were shot by a party of free-soilers, is without the least foundation in truth—that it is entirely false.

In conclusion, the undersigned begs to report the following facts and conclusions, as he believes, established by the testimony and sanctioned by the law:

First. That at the first election held in the Territory under the organic act, for delegate to Congress, Gen. John W. Whitfield received a plurality of the legal votes cast, and was duly elected such delegate, as stated in the majority report.

Second. That the Territorial legislature was a legally constituted body, and had power to pass valid laws, and their enactments are therefore valid.

Third. That these laws, when appealed to, have been used for the protection of life, liberty and property, and for the maintenance of law and order in the Territory.

Fourth. That the election under which the sitting delegate, John W. Whitfield, was held, was in pursuance of valid law, and should be regarded as a valid election.

Fifth. That as said Whitfield, at said election, received a large number of legal votes without opposition, he was duly elected as a delegate to this body, and is entitled to a seat on this floor as such.

Sixth. That the election under which the contesting delegate, Andrew H. Reeder, claims his seat, was not held under any law, but in contemptuous disregard of all law; and that it should only be regarded as the expression of a band of malcontents and revolutionists, and consequently should be wholly disregarded by the House.

Seventh. As to whether or not Andrew H. Reeder received a greater number of votes of resident citizens on the 9th, than J. W. Whitfield did on the 1st of October, 1855, no testimony was taken by the committee, so far as the undersigned knows, nor is it material to the issue.

All of which is respectfully submitted.

M. OLIVER.

MINUTES OF THE COMMITTEE.

The Select Committee of the House of Representatives of the United States, appointed to investigate the affairs of Kansas, met at the city of Washington on the 27th day of March, A. D. 1856.

Present, William A. Howard, chairman, Mordecai Oliver, and John Sherman.

Ordered, That the resolutions of the House, providing for this committee, be read and entered on the minutes.

They are as follows :

“ MARCH 19, 1856.

“ Resolved, That a committee of three of the members of this House, to be appointed by the Speaker, shall proceed to inquire into and collect evidence in regard to the troubles in Kansas generally, and particularly in regard to any fraud or force attempted, or practised, in reference to any of the elections which have taken place in said Territory, either under the law organizing said Territory, or under any pretended law which may be alleged to have taken effect therein since. That they shall fully investigate and take proof of all violent and tumultuous proceedings in said Territory at any time since the passage of the Kansas-Nebraska act, whether engaged in by residents of said Territory, or by any person or persons from elsewhere going into said Territory and doing, or encouraging others to do, any act of violence or public disturbance against the laws of the United States, or the rights, peace, and safety of the residents of said Territory ; and for that purpose said committee shall have full power to send for and examine and take copies of all such papers, public records, and proceedings, as in their judgment will be useful in the premises ; and also, to send for persons and examine them on oath, or affirmation, as to matters within their knowledge touching the matters of said investigation ; and said committee, by their chairman, shall have power to administer all necessary oaths or affirmations connected with their aforesaid duties.

“ Resolved further, That said committee may hold their investigations at such places and times as to them may seem advisable, and that they have leave of absence from the duties of this House until they shall have completed such investigation. That they be authorized to employ one or more clerks, and one or more assistant sergeants-at-arms, to aid them in their investigation ; and may administer to them an oath or affirmation faithfully to perform the duties assigned to them respectively, and to keep secret all matters which may come to their knowledge touching such investigation as said committee shall direct, until the report of the same shall be submitted to this House ; and said committee may discharge any such clerk or assistant sergeant-at-arms for neglect of duty or disregard of instructions in the premises, and employ others under like regulations.

“ Resolved further, That if any person shall in any manner obstruct

or hinder said committee, or attempt so to do, in their said investigation, or shall refuse to attend on said committee, and to give evidence when summoned for that purpose, or shall refuse to produce any papers, book, public record, or other proceeding in their possession or control, to said committee, when so required, or shall make any disturbance where said committee are holding their sittings, said committee may, if they see fit, cause any and every such person to be arrested by said assistant sergeant-at-arms, and brought before this House, to be dealt with as for a contempt.

Resolved further, That for the purpose of defraying the expenses of said commission, there be and hereby is appropriated the sum of ten thousand (\$10,000) dollars, to be paid out of the contingent fund of this House.

Resolved further, That the President of the United States be and is hereby requested to furnish to said committee, should they be met with any serious opposition by bodies of lawless men in the discharge of their duties aforesaid, such aid from any military force as may, at the time, be convenient to them, as may be necessary to remove such opposition, and enable said committee, without molestation, to proceed with their labors.

Resolved further, That when said committee shall have completed said investigation, they report all the evidence so collected to this House."

" MARCH 24, 1856.

"The Speaker announced that he had appointed Mr. Lewis D. Campbell, of Ohio; Mr. William A. Howard, of Michigan; and Mr. Mordecai Oliver, of Missouri, the select committee under the resolution of the House of the 19th instant.

" MARCH 25, 1856.

"On motion of Mr. Lewis D. Campbell, by unanimous consent,

Ordered, That he be excused from serving on the select committee appointed under the resolution of the House of the 19th instant.

"The Speaker thereupon appointed Mr. John Sherman, of Ohio, to fill the vacancy occasioned thereby."

The following officers of the committee were appointed:

Clerks—G. G. Fogg, John S. Bowen, S. P. Hanscom, and John T. Hughes.

Reporter—W. Blair Lord.

Sergeants-at-arms—John Upton, Amos Townsend, and H. J. Comer.

Ordered, That each officer shall discharge such duties as may be,

from time to time, assigned to him by the committee, and that their compensation shall be the same per diem.

Ordered, That the chairman be directed to draw the fund appropriated by the House, and out of it to pay the travelling expenses of the committee and its officers, and to procure from the postmaster of the House, or otherwise, the necessary stationery, books, papers, and supplies.

The chairman was also directed to send to the sitting and contesting delegates the following notice :

“WASHINGTON, March 29, 1856.

“SIR: The committee appointed to investigate Kansas affairs deem it proper to advise you that it is their wish that the two contestants, Hon. J. W. Whitfield and Hon. A. H. Reeder, should be present at examinations to be had by the committee, on terms of perfect equality. You can therefore attend, if you choose so to do, at your own expense, to look after your own interest in connection with said investigation. Neither can, in any sense, be in the employ of the committee.

“Very respectfully,

“WM. A. HOWARD,

“*Chairman of Kansas Committee.*”

Adjourned to meet on call.

WM. A. HOWARD,
Chairman.

KANSAS CITY, Mo., April 14, 1856.

The committee met. Present, Messrs. Howard and Sherman.

The following letter was received from Colonel Sumner, U. S. A.

“HEADQUARTERS FIRST CAVALRY,

“April 1, 1856.

“GENTLEMEN: If you would prefer to hold the sessions of your board at this post, it will afford me great pleasure to give you all the facilities in my power. There may be no excitement if you assemble elsewhere, but there will *certainly* be none here.

“I am, with high respect, your obedient servant,

“E. V. SUMNER,

“*Colonel First Cavalry Commanding.*

“MESSRS. SHERMAN, HOWARD, OLIVER,

“*Kansas Committee.*”

To which the chairman made the following reply :

“KANSAS CITY, April 14, 1856.

“COLONEL: Your note of the 1st instant, inviting us to hold the sessions of the Kansas investigating committee at the post under your command, has just been received. We expect to hold our sessions at various points in the Territory, and, among others, in the

vicinity of Fort Leavenworth ; when it will give us great pleasure to be at liberty to avail ourselves of your very courteous invitation.

"With the highest esteem, your obedient servant,

"W. A. HOWARD.

"E. V. SUMNER,

"Colonel First Cavalry, Fort Leavenworth."

The committee adjourned, to meet on call.

WM. A. HOWARD,
Chairman.

LECOMPTON, K. T., April 18, 1856.

The committee met. Present, Messrs. Howard, Sherman, and Oliver.

Ordered, That the following official documents be copied :

The poll-books of the election in the Territory on the 29th of November, 1854.

The census of the voters taken in February, 1855.

The proclamation and instructions of Governor Reeder in regard to the election of the 30th of March ; the returns of that election, and the official action of Governor Reeder thereon.

The returns of the election held on the 22d of May, 1855, and October 1, 1855.

All of which was done.

The following rules were adopted :

The examination of witnesses before the committee shall be open, and be governed by the rules of the common law ; and Greenleaf's Evidence is adopted as the standard.

The sitting and contesting delegates are each invited, with an attorney for each, to be present at the examination of witnesses, and may put proper questions to witnesses in regard to all matters pertaining to their contest.

Mr. J. W. Whitfield, being present, was notified and requested to produce his witnesses for examination, and to furnish the names of persons whom he desired to be subpoenaed for that purpose.

Adjourned, to meet on call.

WM. A. HOWARD, *Chairman*.

LAWRENCE, April 23, 1856.

Committee met at 3 o'clock p. m. All the committee present.

Gen. J. W. Whitfield appears with Col. Wright, his counsel ; also Mr. A. H. Reeder ; who are requested to produce their witnesses, and to furnish names of persons to be subpoenaed.

After much discussion, and a statement by the committee of their plans for conducting the examinations, adjourned, to meet to-morrow morning at 8 o'clock.

WM. A. HOWARD, *Chairman*.

APRIL 24, 1856.

Committee met at 8 o'clock a. m. All present.

Adjourned, to meet at 8 o'clock to-morrow morning.

WM. A. HOWARD, *Chairman*.

The following communication was received from Gen. J. W. Whitfield by the chairman in the course of the day, viz :

FREE-STATE HOTEL, LAWRENCE, *April 24, 1856.**To Wm. A. Howard, Chairman of Committee :*

DEAR SIR : Owing to the assassination of sheriff Jones, in this town, last night, while in the prosecution of the duties of his office, and that, too, while surrounded by a body of United States troops, detailed to aid him in the execution of the laws of the Territory of Kansas, and the excitement consequent upon the same, I am and shall be unable to get my witnesses to attend the sitting of the committee at this place ; they refusing, and with good reason, to expose themselves and run the risk of being assassinated, whenever night shuts in, by a lawless band of conspirators. One of my chief witnesses (sheriff Jones) has already been shot ; on that account, others who are here have determined to leave, and others whom I expected and notified to be here have informed me that they will not attend while the committee sit at this place. I will further state, that there are others here rendering me material aid in this investigation, and without whom I cannot safely proceed, whom I cannot ask to remain and imperil their lives in so doing, or at least subject themselves to insult and contumely.

I would most respectfully suggest to the committee to adjourn from this to some more safe and neutral point, where witnesses and others will not be subject to the dangers and insults above alluded to.

In the event this committee shall conclude to adjourn to some other point, I pledge in advance, and assure this committee, that from me they shall have all the aid I can summon to a fair, full, and complete investigation.

I am, very respectfully, your obedient servant,

J. W. WHITFIELD.

Hon. W. A. HOWARD,
Lawrence, K. T.

The chairman made the following reply :

LAWRENCE, *April 24, 1856.*

DEAR SIR : I have the honor to acknowledge the receipt of your letter of this date. If, for any reason satisfactory to yourself, you do not wish to bring your witnesses here to be examined, it will afford the committee pleasure to hold sessions, at their earliest convenience, at any suitable place, giving you ample notice and the benefit of our subpoena to collect as many witnesses as you may desire, at such place as you may designate. In the mean time there are some witnesses, we think, we can examine here, and we would be pleased to have you

attend in person, or by attorney, to cross-examine witnesses and aid us generally in eliciting the truth.

Very respectfully, your obedient servant,

WM. A. HOWARD, *Chairman*.

Hon. J. W. WHITFIELD.

The above are true copies.

WM. A. HOWARD, *Chairman*.

Mr. Oliver submitted the following motion :

On account of the excitement now prevailing in the city of Lawrence and surrounding country, growing out of the assassination of sheriff Jones when engaged in the lawful discharge of his duty, which assassination and consequent excitement he believes will deter parties and witnesses from coming and appearing before the committee, he objects to proceeding with the investigation further at this time at this point, and suggests that the committee adjourn to Fort Leavenworth, and there proceed with the investigation until the excitement above alluded to shall have subsided and order reigns supreme.

Which was not agreed to ; the committee declining to adjourn at present.

N. B.—The committee had met at 8 o'clock this morning, (24th,) and immediately adjourned out of regard to Samuel J. Jones, who was in the same building, and suffering from his wounds received the night before. But he was removed to Franklin that morning, and, the communications of General Whitfield and Mr. Oliver requiring immediate action, the committee met on special call, were all present, and the above action was had, and also the orders which follow.

WM. A. HOWARD, *Chairman*.

Ordered, That the compensation to witnesses shall be as follows :

For each day in attendance	\$1 50
For each mile necessarily travelled, (circular).....	0 5

Ordered, That the compensation of clerks and sergeants-at-arms shall be \$1 50 per day.

WM. A. HOWARD, *Chairman*.

APRIL 25, 1856.

Met pursuant to adjournment. All present.

The following forms of oath and affirmation were adopted :

"You solemnly swear that the evidence you shall give to this committee, touching the investigation now pending before them, shall be the truth, the whole truth, and nothing but the truth ; so help you God."

"You solemnly and sincerely affirm that the evidence you shall give to this committee, touching the investigation now pending before

them, shall be the truth, the whole truth, and nothing but the truth; and this you do under the pains and penalties of perjury."

Witnesses were sworn and examined, as follows :

- | | |
|--------------------|----------------------------|
| No. 1. E. D. Ladd. | No. 4. William B. Hornsby. |
| 2. Norman Allen. | 5. F. P. Vaughn. |
| 3. William Yates. | |

Mr. Oliver objects to the admission of proof of the statements made by the young man at his father's residence, in Clay county, Missouri. Objection overruled.

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| No. 6. Gains Jenkins. | No. 8. George W. Deitzler. |
| 7. Lewis N. Cox, sworn but not examined. | |

Adjourned, to meet at 8 o'clock to-morrow morning.

WM. A. HOWARD, *Chairman*.

APRIL 26, 1856.

Committee met pursuant to adjournment. All the committee present.

Witnesses sworn and examined, as follows :

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| No. 9. C. W. Babcock. | No. 13. Ira W. Ackley. |
| 10. Charles Robinson. | 14. Edward Chapman. |
| 11. Lyman Allen. | 15. George Churchill. |
| 12. S. N. Wood, affirmed. | |

Adjourned, to meet on Monday morning at 8½ o'clock.

WM. A. HOWARD, *Chairman*.

APRIL 28, 1856.

Committee met at 8½ a. m. All the committee present.

A letter was received from Gen. J. W. Whitfield, as follows :

LAWRENCE, *April 28, 1856.*

The undersigned, in answer to your favor of the 24th instant, has the honor to propose that the witnesses he intends to present as original or rebutting evidence who reside on the north side of the Kansas river be examined at Leavenworth city, and those residing on the south side of said river be examined at Wea Missions, at such times respectively as the committee may designate.

Respectfully,

J. W. WHITFIELD.

Hon. W. A. HOWARD, *Chairman Committee*.

Mr. J. W. Whitfield appeared with Mr. S. H. Woodson, his attorney.

Witnesses sworn and examined, viz :

No. 16. Gains Jenkins, recalled.

Mr. Oliver files written objections to the mode of examination.

No. 17. Robert A. Cummins. No. 18. Robert G. Elliott.

Colonel Woodson objects to the admission of declarations by Sullivan, of Lexington, Missouri, as to his residence and purpose in making seven claims near Leavenworth.

Objection overruled ; Mr. Oliver dissenting.

No. 19. Harrison Burson. No. 23. John C. Dunn.

20. Nathaniel Ramsey. 24. Andrew White.

21. James H. Dunn. 25. Dr. E. G. Macy, affirmed.

22. J. N. Mace.

Adjourned, to meet at 8 o'clock to-morrow morning.

WM. A. HOWARD, *Chairman*.

APRIL 29, 1856.

Committee met. All the members present.

Witnesses sworn and examined, viz :

No. 26. Jordan Davidson. No. 31. George Umberger.

27. F. E. Lahay. 32. Marcus H. Rose.

28. William Lyon. 33. James R. Stewart.

29. Hammond C. Muzzy. 34. Absalom Hoover.

30. Augustus Wattles.

Adjourned, to meet to-morrow morning at 8 o'clock.

WM. A. HOWARD, *Chairman*.

APRIL 30, 1856.

Committee met by appointment. All the members present.

Witnesses called and sworn, as follows :

No. 35. Marcus H. Rose, re- No. 37. Isaac B. Titus.

called.

36. James R. Stewart, re-

called.

Ordered, That objection to the competency of testimony shall be stated at the time, if they involve any question or principle not already decided by the committee, and shall be reduced to writing by the objector and attached to the testimony objected to, on or before the next meeting of the committee.

Witnesses sworn and examined, viz :

No. 38. Hollam Rice. 41. Thomas B. Wolverton

39. Robert Morrow. 42. N. B. Blanton.

40. William Jesse. 43. Peter Bossinger.

- No. 44. Thomas Hopkins. No. 45. Lewis M. Cox.
 — G. P. Lowrie, not ex- 46. C. S. Pratt.
 amined.

Adjourned, to meet at 8 o'clock to-morrow morning.

WM. A. HOWARD, *Chairman*.

MAY 1, 1856.

Committee met agreeably to adjournment.

Witnesses sworn and examined, viz :

- No. 47. Chas. Robinson, recalled. No. 49. Wm. M. McClure.
 48. Samuel C. Smith.

The testimony of Wm. M. McClure, on objection of Col. Woodson, was ruled out by the committee.

Witnesses sworn and examined, viz :

- No. 50. J. M. Minchell. No. —. C. M. Babcock, recalled.
 — E. D. Ladd, recalled. 51. L. A. Prather.
 — C. S. Pratt, recalled.

Adjourned, to meet at 8 o'clock to-morrow evening.

WM. A. HOWARD, *Chairman*.

MAY 2, 1856.

Committee met pursuant to adjournment. All the committee present.

Witnesses sworn and examined, as follows :

- No. 52. J. B. Abbott. No. 54. William McKinney was
 53. G. P. Lowrie, recalled. sworn, and examined in secret
 session.

Adjourned, to meet at 8 o'clock to-morrow morning.

WM. A. HOWARD, *Chairman*.

MAY 3, 1856.

Committee met pursuant to adjournment. All the committee present.

Witnesses sworn and examined, as follows :

- No. 55. Salem Gleason was sworn, No. 59. Dr. John Doy.
 and examined in secret 60. Reuben Hackett.
 session. 61. Homme Hayt,
 56. Thomas Breeze. 62. Reuben Hackett, recalled.
 57. Nicholas McKinney. 63. Chas. Robinson, recalled.
 58. John C. Davidson. 64. Perry Fuller.

At the instance of Mr. Whitfield, one of the sergeants-at-arms (Mr. Townsend) was sent to Franklin to ascertain whether sheriff Jones could now be examined as a witness by the committee in his

room at that place. The sergeant-at-arms reports that he was informed by Mrs. Jones that, by the physician's orders, no person could be allowed to see him at that time.

Adjourned, to meet at Tecumseh, K. T., on Monday next at 2 o'clock p. m.

WM. A. HOWARD, *Chairman*.

TECUMSEH, *May 5, 1856.*

Committee met at this place pursuant to adjournment. Present, all the members of the committee.

Mr. Whitfield appears with Mr. R. R. Rees, his counsel. Mr. Reeder also present.

Mr. Whitfield is notified and requested to produce witnesses, and to furnish the names of persons to be subpœnaed to testify at this place.

Witnesses sworn and examined, viz :

No. 65. Rev. H. B. Burgess. No. 66. J. M. Mitchell.

Adjourned, to meet at 8 o'clock to-morrow morning.

WM. A. HOWARD, *Chairman*.

TECUMSEH, *May 6, 1856.*

Committee met by adjournment. All the members present.

Witnesses sworn and examined, as follows :

No. 67. H. B. Burgess, recalled.	No. 73. Charles Jordan.
68. J. M. Mitchell, recalled.	74. Lewis C. Wilmarth.
69. John Long.	— J. M. Mitchell, recalled.
70. G. A. Cutler.	75. James Hickey.
71. John Long, recalled.	76. D. H. Horn.
72. A. A. Jamison.	

Adjourned, to meet at 8 o'clock to-morrow morning.

WM. A. HOWARD, *Chairman*.

TECUMSEH, *May 7, 1856.*

Committee met by adjournment. All present.

Witnesses sworn and examined, viz :

No. 77. James Reed.	No. 81. John W. Stephens.
78. W. A. M. Vaughan.	82. Wm. R. Boggs.
79. Ed. R. Zimmerman.	83. Wm. F. Johnson.
— W. A. M. Vaughan, rec'd.	84. Matthias A. Reed.
80. James F. Merriam.	

Adjourned, to meet at Lawrence, K. T., to-morrow afternoon at half-past 2 o'clock.

WM. A. HOWARD, *Chairman*.

LAWRENCE, K. T., May 8, 1856.

Committee met pursuant to adjournment. Present, all the committee.

Witnesses sworn and examined, as follows:

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| No. 85. Wm. Moore. | No. 86. James M. Arthur. |
| — Dr. B. C. Westfall. | 87. Joseph Stewart. |

Pending the examination of this witness, (Joseph Stewart,) and while the committee were pursuing their investigations, William Fane, claiming to be deputy-marshal, and to have been appointed as such by J. B. Donaldson, marshal of the Territory, presented to A. H. Reeder, then engaged in examining a witness in the presence of and before the committee, a paper purporting to be a writ of attachment, issued by D. Scott Boyle, clerk, and attested by Hon. Samuel D. Lecompte, judge of the first district court for the first judicial district of Kansas Territory; and before serving said writ, A. H. Reeder applied to the committee to secure to him the protection given him by the constitution of the United States as a contesting delegate of said Territory, and now in attendance before the committee, upon its invitation.

After consideration, the committee determined that the privilege from arrest given by the laws to the members of this committee, and the sitting and contesting delegates, was not a matter for them to enforce, and declined to make any decision whatever, or take any action upon the application thus made.

The examination of Joseph Stewart was resumed, and

No. 88, Samuel Jones, was sworn and examined.

Adjourned, to meet at 9 o'clock to-morrow morning.

WM. A. HOWARD, *Chairman*.

LAWRENCE, K. T., May 9, 1856.

Committee met according to adjournment. Present, Messrs. Howard and Shermau.

Messrs. Reeder and Whitfield being absent, the following witnesses were sworn and examined by the committee:

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|-----------------------------|-------------------------|
| No. 89. Joseph M. Gearhart. | No. 96. Wm. Chestnut. |
| 90. Jesse W. Wilson. | 97. Rev. Pardee Butler. |
| 91. Marshall A. Garrett. | 98. A. Allen. |
| 92. George W. Gillespie. | 99. S. N. Simpson. |
| 93. Augustus Baker. | 100. S. B. Prentiss. |
| 94. John E. Davis. | 101. Wm. Phillips. |
| 95. J. C. Prince. | |

Adjourned, to meet at 8 o'clock to-morrow morning.

WM. A. HOWARD, *Chairman*.

LAWRENCE, K. T., *May 10, 1856.*

Committee met pursuant to adjournment. Present, Messrs. Howard and Sherman.

In the absence of the contestants and their counsel, the following witnesses were sworn and examined by the committee:

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| No. 102. Jacob Branson, in secret session. | No. 107. Robert F. Barber. |
| 103. John A. Wakefield. | 108. Mrs. Jane W. Colburn. |
| 104. Mrs. Almina Jones, in secret session. | 109. Wilda McKinney. |
| 105. Daniel T. Jones. | 110. Henry M. Simpson. |
| 106. Wm. Phillips. | 111. Thomas M. Pierson. |
| | 112. George F. Warren. |

Adjourned, to meet at 8 o'clock on Monday morning.

WM. A. HOWARD, *Chairman.*

LAWRENCE, K. T., *May 12, 1856.*

Committee met by adjournment. Present, Messrs. Howard and Sherman.

Witnesses sworn and examined by the committee, as follows:

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| No. 113. Geo. F. Warren, recalled. | No. 120. James F. Liggett. |
| 114. Samuel Smith. | 121. George W. Deitzler, recalled. |
| 115. Edward Oakley. | 122. Thomas Thorp. |
| 116. James J. Jarvin. | 123. W. Y. Roberts. |
| 117. Samuel F. Tappan. | 124. John Wise. |
| 118. Joseph Oakley. | 125. Capt. Samuel Walker. |
| 119. A. B. Bronson. | |

Adjourned, to meet at Leavenworth city, on Wednesday next, at 2 o'clock p. m.

WM. A. HOWARD, *Chairman.*

LEAVENWORTH CITY, *May 14, 1856.*

Met pursuant to adjournment. All the committee present.

Witnesses sworn and examined, as follows:

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| No. 126. D. A. Baker. | No. 127. Wm. P. Richardson. |
|-----------------------|-----------------------------|

Adjourned, to meet at 8 o'clock to-morrow morning.

WM. A. HOWARD, *Chairman.*

LEAVENWORTH CITY, K. T., *May 15, 1856.*

Committee met at 8 o'clock. All present.

Witnesses sworn and examined as follows:

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| No. 128. Wm. P. Richardson, recalled. | No. 130. George A. Taylor. |
| 129. Henry J. Adams. | 131. David Brown. |
| | 132. M. P. Rively. |

Nos. 129, 130, 131, and 132 being examined in secret session.
Adjourned, to meet at 8 o'clock to-morrow morning.

WM. A. HOWARD, *Chairman*.

LEAVENWORTH CITY, K. T., May 16, 1856.

Committee met by adjournment. All the members present.

Witnesses sworn and examined, as follows :

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| No. 133. Dr. James Davis. | No. 137. Edward S. Motler, re- |
| 134. Dr. G. J. Park. | called. |
| 135. J. C. Green. | 138. J. C. Green, recalled. |
| 136. Edward S. Motler. | 139. Joseph H. Bird. |
| | 140. Nick Smith. |

All of whom were examined in secret session.

No. 141. John Below.

Adjourned, to meet at 8 o'clock to-morrow morning.

WM. A. HOWARD, *Chairman*.

LEAVENWORTH CITY, May 17, 1856.

Committee met pursuant to adjournment. All the committee present.

Witnesses sworn and examined, as follows :

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|--------------------------|---------------------------------|
| No. 142. Geo. H. Keller. | No. 145. David Brown, recalled. |
| 143. F. M. Mahan. | 146. Francis A. Hart. |
| 144. Samuel F. Few. | |

Adjourned, to meet on Monday morning next, at 8 o'clock.

WM. A. HOWARD, *Chairman*.

LEAVENWORTH CITY, K. T., May 19, 1856.

Committee met as per adjournment. All the members of the committee present.

Witness sworn and examined, as follows :

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| No. 147. F. A. Hart, recalled. | No. 150. J. B. Ross. |
| 148. Richard R. Rees. | 151. H. B. Gale. |
| 149. Wm. H. Godwin. | 152. J. B. Crane. |

Adjourned, to meet to-morrow morning, at 8 o'clock.

WM. A. HOWARD, *Chairman*.

LEAVENWORTH CITY, May 20, 1856.

Committee met as usual. All the members present.

Witnesses sworn and examined, as follows:

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| No. 153. Dundridge Holliday. | No. 158. Harmon G. Weibling. |
| 154. B. F. Nicholson. | 159. Francis M. Potter. |
| 155. Joseph Potter. | 160. John W. House. |
| 156. John Hamilton. | 161. Emory B. Cook. |
| 157. Joseph Potter, recalled. | |

Adjourned, to meet to-morrow morning, at 8 o'clock.

WM. A. HOWARD, *Chairman*.

LEAVENWORTH CITY, K. T., *May 21, 1856.*

Committee met at usual hour. All present.

Witnesses sworn and examined, as follows:

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| No. 162. E. B. Cook, recalled. | No. 168. Josiah Elliott. |
| 163. John Hamilton, recalled. | 169. Milton J. Payne. |
| 164. Dr. James Noble. | 170. Wm. H. Somers. |
| 165. Dr. Jas. Noble, recalled. | 171. Wm. H. Miller. |
| 167. Alexander Gilham. | 172. Matthew Walker. |

Adjourned, to meet to-morrow morning, at 8 o'clock.

WM. A. HOWARD, *Chairman*.

LEAVENWORTH CITY, K. T., *May 22, 1856.*

Committee met as usual. All present.

Witnesses sworn and examined, as follows:

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| No. 173. Charles Hardt. | No. 177. Patrick R. Orr. |
| 174. Willard P. Hall. | 178. Edward Bourne. |
| 175. T. A. Minard. | 179. Stephen Sparks. |
| 176. T. A. Minard, recalled. | |

Adjourned, to meet to-morrow morning, at 8 o'clock.

WM. A. HOWARD, *Chairman*.

LEAVENWORTH CITY, K. T., *May 23, 1856.*

Committee met at the usual hour. All the members of the committee present.

Witnesses sworn and examined, as follows:

- No. 180. John H. Whitehead.

General Wm. P. Richardson states to the committee, that a copy of A. A. Jennison's testimony was made by him without the knowledge of any member of the committee, or any of their employees, and that he was not aware that he was violating any rule of the committee.

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| No. 181. John R. Carter. | No. 185. Benjamin Duncan. |
| 182. Benjamin H. Brock, affirmed. | 186. Col. A. M. Mitchell. |
| 183. Benjamin H. Brock, recalled. | 187. Henry S. Creal. |
| 184. Charles W. Stewart. | 188. A. Langdon. |
| | 189. Osborne Hulin. |
| | 190. A. Grooms. |

Adjourned, to meet to-morrow morning, at 8 o'clock.

WM. A. HOWARD, *Chairman*.

LEAVENWORTH CITY, K. T., *May 24, 1856.*

Committee met pursuant to adjournment. All the members of the committee present.

Witnesses sworn and examined, as follows :

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| No. 191. Benjamin Harding. | No. 194. Thomas W. Waterson. |
| 192. Luther Dillon. | 195. Albert Heed. |
| 193. Thomas E. Bottom. | |

Adjourned, to meet on Monday morning next, at 8 o'clock a. m.

WM. A. HOWARD, *Chairman*.

LEAVENWORTH CITY, K. T., *May 26, 1856.*

Committee met pursuant to adjournment. All the committee present.

Witnesses sworn and examined, as follows :

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|-----------------------|------------------------|
| No. 196 John Landis. | No. 205 Joel P. Blair. |
| 197 W. A. Sublett. | 206 Cary B Whitehead. |
| 198 John W. Smith. | 207 John Scott. |
| 199 Allen B. Lyon. | 208 Luther Dickerson. |
| 200 James Lynch. | 209 D. W. Field. |
| 201 Eli Hamilton. | 210 Joseph Beattie. |
| 202 Andrew McConnell. | 211 Joseph H. Gilbert. |
| 203 Richard Tuck. | 212 M. T. Bailey. |
| 204 David Figer. | |

Adjourned, to meet to-morrow morning, at 8 o'clock.

WM. A. HOWARD, *Chairman*.

LEAVENWORTH CITY, K. T., *May 27, 1856.*

Committee met pursuant to adjournment. All the members present.

Witnesses were sworn and examined as follows :

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| No. 213 George Wetherell. | No. 217 W. H. Chick. |
| 214 John Scott. | 218 J. Riddlesberger. |
| 215 Joseph B. Evans. | 219 Adam T. Pattie. |
| 216 John W. Martin. | 220 Dr. J. H. Stringfellow. |

- No. 221 A. T. Pattie, (recalled.) No. 224 J. F. Foreman.
 222 Robert Wilson. 225 Peter T. Abell.
 223 John W. Foreman.

Adjourned, to meet to-morrow morning, at 8 o'clock.

WM. A. HOWARD, *Chairman*.

LEAVENWORTH CITY, K. T., *May 28, 1856.*

The committee met pursuant to adjournment. All the members present.

Witnesses were sworn and examined, as follows :

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|----------------------------|-------------------------|
| No. 226 William J. Osborn. | No. 232 Campbell Logan. |
| 227 Thomas Reynolds. | 233 J. W. Logan. |
| 228 Dr. J. M. Ridge. | 234 Wiley Williams. |
| 229 H. A. Lowe. | 235 Marcus J. Parrott. |
| 230 Patrick Laughlin. | 236 G. B. Redman. |
| 231 C. R. Mobley. | 237 Henry Adams. |

Adjourned, to meet to-morrow morning, at 8 o'clock.

WM. A. HOWARD, *Chairman*.

LEAVENWORTH CITY, K. T., *May 29, 1856.*

The committee met pursuant to adjournment. All the members present.

The poll-books and returns of the three elections relating to the State organization were filed, and retained to be copied.

Witnesses were sworn and examined, as follows :

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|----------------------------------|-----------------------------|
| No. 238 W. Williams, (recalled.) | No. 245 Thomas J. Thompson. |
| 239 John Wilfley. | 246 S. W. Tannell. |
| 240 Charles Blakely. | 247 Alexander Russell. |
| 241 John A. Linsley. | 248 J. D. Clarkson. |
| 242 S. J. Kookogy. | 249 H. H. Johnston. |
| 243 L. J. Eastin. | 250 A. Payne. |
| 244 J. T. Read. | |

Adjourned, to meet to-morrow morning at the usual hour.

WM. A. HOWARD, *Chairman*.

LEAVENWORTH CITY, K. T., *May 30, 1856.*

The committee met pursuant to adjournment. All the members were present.

Witnesses were sworn and examined as follows :

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|-----------------------|--------------------------|
| No. 251. W. H. Tebbs. | No. 254. Andrew T. Kyle. |
| 252. Adam Fisher. | 255. Amos Rees. |
| 253. A. Macauley. | 256. A. B. Sharp. |

No. 257. O. B. Tibbs.

258. G. M. Dyer.

259. Richard Chandler.

No. 260. D. J. Johnson.

261. William Burgess.

Adjourned, to meet to-morrow morning at the usual hour.

WM. A. HOWARD, *Chairman*.LEAVENWORTH, K. T., *May 31, 1856.*

The committee met pursuant to adjournment. All the members present.

Witnesses were sworn and examined as follows :

No. 262. Nathan Adams.

263. John A. Haldeman.

264. E. C. McCarty.

265. James Davis.

266. W. H. Adams

267. George H. Keller.

268. G. W. Hollis.

No. 269. R. L. Kirk.

270. Matt. France

271. Samuel Rixoy.

272. H. M. Hook.

273. Rev. Leander Kerr.

274. Dr. J. H. Day.

275. M. P. Rively.

Adjourned, to meet at Westport, Mo., on Monday, June 2, 1856.

WM. A. HOWARD, *Chairman*.WESTPORT, Mo., *June 2, 1856.*

The committee met pursuant to adjournment. All the members present.

Seven blank subpoenas were given to General Whitfield.

Witnesses were sworn and examined, as follows :

No. 276. Thomas B. Arnett.

277. Charles E. Kearney.

278. Cyprian Chouteau.

No. 279. E. W. Donaldson.

280. Andrew Johnson.

281. Rev. Thomas Johnson.

Adjourned, to meet to-morrow morning, at 8 o'clock.

WM. A. HOWARD, *Chairman*.WESTPORT, Mo., *June 3, 1856.*

The committee met pursuant to adjournment. All the members present.

Witnesses were called, sworn, and examined, as follows :

No. 282. George Holmes.

283. Thos. Johnson, recalled.

284. B. T. Keger.

No. 285. William Barbee.

286. S. W. Bouton.

Adjourned, to meet to-morrow morning, at 8 o'clock.

WM. A. HOWARD, *Chairman*.

WESTPORT, Mo., June 4, 1856.

The committee met pursuant to adjournment. All the members present.

Witnesses were called, sworn, and examined as follows :

No. 287. John M. Banks. No. 289. William A. Tebbs.

288. A. J. Francis.

Adjourned, to meet at the usual hour to-morrow morning.

WM. A. HOWARD, *Chairman*.

WESTPORT, Mo., June 5, 1856.

The committee met pursuant to adjournment. All the members present.

Witnesses were sworn and examined, as follows :

No. 290. W. Barbee, recalled. No. 294. Chas. A. Linkenanger.

291. F. M. Coleman.

295. Charles C. Spaulding.

292. Thomas Mockabee.

296. Andrew J. Johnson.

293. Isaac Hascall.

Adjourned, to meet at 7 o'clock to-morrow morning.

WM. A. HOWARD, *Chairman*.

WESTPORT, Mo., June 6, 1856.

The committee met pursuant to adjournment. All the members present.

Witnesses were called, sworn, and examined, as follows :

No. 297. John E. Ingalls. No. 298. James Haines.

Mr. Scott offered in evidence certain letters of A. H. Reeder, referred to in the testimony of (No. 225) Peter T. Abell.

The committee declined to receive and transmit these letters, on the ground that they have not the rightful possession of them, they having been found in the street, and being clearly private letters, and improperly obtained.

Mr. Oliver dissented.

Witnesses sworn and examined, as follows :

No. 299. Horatio Owens.

No. 301. Wm. G. Mathias.

300. Joseph C. Anderson.

On motion, the copies of the executive minutes, of the census returns, and copies of all Territorial records in possession of the committee, are considered in evidence.

Adjourned, to meet to-morrow morning at the usual hour.

WM. A. HOWARD, *Chairman*.

WESTPORT, Mo., *June 7, 1856.*

The committee met pursuant to adjournment. All the members present.

Witnesses sworn and examined, as follows :

No. 302. William Donaldson.

Gov. King and Mr. Scott, in behalf of J. W. Whitfield, presented a protest, which, with copies of Reeder's letters, were marked as exhibits by me.

WM. A. HOWARD, *Chairman.*

No. 303. George W. Berry.

No. 304. John A. Contrell.

The committee adjourned to Monday morning, June 9, 1856.

WM. A. HOWARD, *Chairman.*

WESTPORT, Mo., *June 9, 1856.*

The committee met pursuant to adjournment. All the members present.

The proceedings of the convention at Big Springs, held on the 5th and 6th of September, 1855, were offered in evidence by Gov. King, and received.

Witnesses were sworn and examined, as follows :

No. 306. Samuel A. Williams.

No. 309. J. N. O. P. Wood, affirmed.

307. A. B. Wade.

308. Thomas Connelly.

Pending the examination of Dr. Wood, a communication in writing, from a committee of citizens of Westport, was received, as follows :

"We, the undersigned committee, appointed by citizens of Westport and vicinity, appear before the Congressional Investigating Committee, for the purpose of assuring them that there need be no apprehension on their part that any interruption will be offered to the proceedings of the committee, and that they will pledge themselves, and fellow-citizens generally, to allow no interruption of their business, or any indignity to be offered them personally, notwithstanding the excited state of the public mind in regard to Kansas affairs; and they make this pledge with the full knowledge that they can fulfil it, which they will do at any and every hazard.

"We have been told that the committee propose to adjourn immediately, without completing their labors, on the ground of an apprehension on their part that personal indignity might be offered them.

"We would add, that, in our opinion, the apprehension is entirely without foundation; but deeming it necessary to allay any misapprehension on your minds, we take this means to assure you that no interruption shall be offered to your proceedings; and nothing of the

kind has been intended or attempted by the citizens of this town or vicinity or the county of Jackson; any report to the contrary is false.

"WESTPORT, Mo., June 9, 1856.

"CHARLES E. KEARNEY,

"Chairman Committee.

"To the MEMBERS of the Committee of Investigation, now in session in Westport, Mo."

Mr. Howard, the chairman, being absent on account of illness, Mr. Sherman replied to the communication verbally—the committee of citizens being present—as follows:

"GENTLEMEN: I regret that Mr. Howard, the chairman of the committee, is not present, on account of illness. We are very happy to receive this communication from you, and shall enter it upon our journal, and make it a part of our proceedings, with great pleasure. But it is our duty to say to you that we never have supposed that we were in the least danger of any kind here, and have never felt in fear of any.

"We came here, at the invitation of Mr. Whitfield, to take testimony in his behalf alone. We did not anticipate personal danger, nor is our action based in any degree upon the rumor you mention. We were idle the most of last week because witnesses were not here. We were told this was on account of the public disturbances in the Territory, and we concluded to wait until this evening. To-day we have had but little to do, and deem it our duty to adjourn, and for that reason alone will do so. Since we have been here we have personally received nothing but kind treatment from the citizens of this place, and have no cause to complain of them.

"We deeply regret the unfortunate condition of affairs in this border, and the excited state of the public mind here in regard to Kansas affairs."

The committee having announced their determination to adjourn forthwith, Gov. King, in behalf of J. W. Whitfield, filed the following protest:

"WESTPORT, Mo., June 9, 1856.

"The undersigned, John W. Whitfield, represents that he is not yet through with the evidence which he proposes to introduce before the committee, and is in hourly expectation of witnesses to be in attendance for the purpose of giving such evidence. That for the last eight days the disturbances have been of such a character, and the excitement so great in the Territory, that it has been impossible to procure attendance of witnesses, and, in several instances, to have them even summoned. That he has witnesses summoned whose evidence is most important in reference to the election of the 30th of March, 1855, in the Territory, in the first, second, third, fourth, fifth, and seventh representative election districts. That owing to the recent disturbances in the Territory he has been wholly deprived of rebutting the evidence of witnesses examined by the contestant, A. H. Reeder, in those districts. That if the committee will continue its sessions for two days to come, he believes he will be able to procure the witnesses,

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and avail himself of the benefit of their testimony, by which he will be able fully and certainly to vindicate the legality of those elections, and to rebut and repel much of the evidence taken by the contestant in reference to those districts. That the witnesses expected are residents of the Territory, and of that portion of it where, for the last ten days, there has been the most intense excitement, imposing an absolute necessity on them to seek protection and safety for their families; and that, although subpoenaed, for these reasons he has been unable as yet to procure their attendance.

"The said John W. Whitfield therefore protests against the adjournment of the committee until a reasonable time be allowed him to get such testimony as these witnesses will afford before the committee, and here files this his protest in the matter.

"JOHN W. WHITFIELD.

"By his attorney,

"AUSTIN A. KING.

"To the honorable the CONGRESSIONAL COMMITTEE, now in session at Westport."

After receiving the foregoing protest, the committee, for the reason that General Whitfield had already had opportunity to examine these same witnesses, and inasmuch as he had left the committee for three days to take part in the war during the time we had been in Westport, adjourned.

WM. A. HOWARD, *Chairman*.

STEAMBOAT "POLAR STAR,"

On Missouri river, June 10, 1856.

The committee met at 2 o'clock. All the members present.

Witnesses were sworn and examined, as follows:

No. 310. Capt. Luther Leonard. No. 311. Henry M. Blossom.

Adjourned.

Mr. Oliver left at Camden for Richmond.

WM. A. HOWARD, *Chairman*.

STEAMBOAT "POLAR STAR,"

At Lexington, Mo., June 10, 1856.

The committee met. Present, Messrs. Howard and Sherman.

The following witnesses were sworn and examined:

No. 312. James Brewster. No. 313. O. H. Brewster.

Adjourned, to meet at St. Louis on the 12th instant.

WM. A. HOWARD, *Chairman*.

ST. LOUIS, Mo., *June 12, 1856.*

The committee met pursuant to adjournment. Messrs. Howard and Sherman present.

The following witnesses were sworn and examined :

No. 314. Benjamin Slater. No. 315. F. A. Hunt.

Adjourned, to meet at Detroit, Michigan, on Tuesday, June 17, 1856.

WM. A. HOWARD, *Chairman.*

DETROIT, MICH., *June 17, 1856.*

The committee met pursuant to adjournment. Present, Messrs. Howard and Sherman.

On the 21st of June the committee adjourned to meet in New York city.

WM. A. HOWARD, *Chairman.*

NEW YORK, *June 26, 1856.*

The committee met pursuant to adjournment. Present, Messrs. Howard and Sherman.

The following witnesses were sworn and examined :

No. 316. Amos A Lawrence. No. 317. Eli Thayer.

Adjourned, to meet to-morrow at 9 o'clock a. m.

WM. A. HOWARD, *Chairman.*

NEW YORK, *June 27, 1856.*

Committee met pursuant to adjournment. Present, Messrs. Howard and Sherman.

The following witnesses were sworn and examined :

No. 318. G. P. Lowry, recalled. No. 320. Anson J. Stone.

319. A. H. Reeder.

Adjourned, to meet in Washington city, D. C.

WM. A. HOWARD, *Chairman.*

WASHINGTON, D. C., *June 28, 1856.*

The committee met pursuant to adjournment. Present, Messrs. Howard and Sherman.

Report of the committee was read and adopted. Adjourned.

WM. A. HOWARD, *Chairman.*

WASHINGTON, D. C., *Jul*

Committee met. Present, Messrs. Oliver and Sherma
The following witness was sworn and examined by Mr
No. 321. Daniel Mace.

Adjourned.

WM. A. HOWARD, C

WASHINGTON, *Jul*

Committee met. Present, Messrs. Oliver and Sherma
No. 322. Mr. H. C. Pate was called and sworn by Mr. C
Adjourned.

WM. A. HOWARD, C

WASHINGTON, *July*

Committee met. Present, Messrs. Howard and Sherm
No. 323. G. P. Lowry, recalled.

Adjourned.

WM. A. HOWARD, C

ERRATUM.

In the table on page 74, at the bottom of the sixth column, for "15:

THE TESTIMONY.

ELECTION OF NOVEMBER 29, 1854.

JOHN A. WAKEFIELD testifies:

I came into the Territory in July, 1854, from Iowa, settled in the second district, and have resided there ever since. I was present at the election of the second district on the 29th of November, 1854, and was a candidate at that time for delegate to Congress. On the evening of the 28th of November I started to Lawrence with Colonel Safford, of Ohio, then a citizen here. I had made an engagement to address the citizens of Lawrence that night. We came down in a carriage, and on the road met a number of persons in companies—at least one hundred and fifty in all—on horseback and in wagons. Colonel Safford asked some of them, in my hearing, where they were from; and they said “from the State of Missouri, and are going up to Douglass to vote to-morrow.” We passed Judge Miller’s, and came on here. On the morning of the 29th, in company with perhaps three others, I went to Douglass; found a crowd of wagons, and a large gathering of men around the house where the polls were being held. When I got out of my buggy, a man came to me and said, “is there many more of the boys behind?” Supposing he took me to be a Missourian, I said I thought there were a great many. Says he, “by God, half of Clay county will be here to-day. Now,” says he, “old man, I will tell you how to do, if you want to vote. We have a parcel of clerks, and you will see them writing on the heads of barrels. Do you go to them, and tell one of them you want him to register a claim for you.” I saw a number of persons writing on heads of barrels. When I got up to the polls, I heard it cried out that such a man was nominated for judge of election, and the response was “ay, ay,” all around. I heard no one vote in the negative. Whether it was one or two judges they were voting for I cannot say. A man by the name of G. W. Ward was one of the judges, and Paris Ellison another; both of them residents of the Territory. The name of the other judge I do not recollect, but I never saw him before, and have not seen him since, that I know of. Soon after the polls opened, a stranger came to me, and said he wanted to speak to me. He took me on one side, and said, “I understand you have come here to-day to challenge votes.” I told him I had not come for any such purpose, and asked him why he asked me that question. Says he, “if you challenge a vote here to-day, you will be badly abused, and probably killed; and as you are an old man, I do not wish to see you abused.” I then remarked that that kind of talk would not frighten me, but I thought it was the duty of the judges

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to see that all voters were legal voters. I asked him his name, and he told me, but I cannot remember it.

That district was newly settled, and there were not exceeding fifty men in it—I think not over forty. I think there were two hundred and sixty-one or two hundred and sixty-two votes polled, and Whitefield got two hundred and thirty-five votes, if my memory serves me right. I got twenty votes, I think, and Flanigan six votes. I do not think there were actually more than thirty-five legal votes that day. Those men were armed with revolvers, some with guns, and a great many with clubs; and a great many of our settlers, knowing these facts, did not go to the election. They had barrels of liquor there for all to drink who wanted to. I knew the citizens in the district generally. I was one of the very first settlers in the district. About the time the polls were closed, they mounted their horses, and got into their wagons, and cried out “all aboard for Westport and Kansas City.” They then went off towards Missouri. A majority of them I should think were very much intoxicated, and they were very noisy. The language they used against the Yankees was something like “damn the abolitionists, kill them.” One of them came up to me and seized me by the collar, and said, “you are a damned abolitionist.” When I drew my cane on him, his brother came up, and told me not to mind him, that he was drunk. One of the judges then, it being right before them, invited me to come in where they were, or I would be abused. I did so, and remained there until the polls closed. When the polls were closed, I asked the judges to give me their names. They hesitated somewhat, and one of the clerks wrote out their names, and asked me for what purpose I wanted them. I said that I might know them when I met them again. He asked if that was all. I said “No, it is not.” He then gave me the names of the judges and clerks. I had a couple of men swear to these facts, in order to contest the election. I drew up a petition to the governor, and had the facts approved by Mr. Snyder and Mr. McClellan. I took them to the governor, and showed him some other affidavits taken by another person; and he requested me not to show him any more, as it was useless to contest the election there, unless I had done so throughout the Territory. I find on the poll-books the name of S. H. Woodson. There is a Mr. Woodson of Independence, Missouri, that I know, but I did not see him vote. There was no one of that name a resident in our district at that time. I recognise upon the poll-list a number of names of persons I know in Westport and other places in Missouri; among them, Mr. Elkins, Mr. Huff, Mr. Smart, Joseph Dillon, S. C. Coombs, and others.

JOHN A. WAKEFIELD.

LAWRENCE, K. T., *May 10, 1856.*

HARRISON BURSON called and sworn.

To Mr. Reeder:

I was at the election of the 29th of November, 1854. The number of people in our district was very slim at that time. I should judge

there were three times as many people at the polls on that election as there were voters in the district. I do not think there were 261 legal voters in the district at that time. This election was held at Douglass. I was at the polls that day, and saw a great number of strangers; they left in bodies, in wagons, down the river. I came out in a company of about one hundred myself, but they overtook us and passed us. There was but one man in this company of strangers that I knew; his name was Barnett, of Westport, Missouri. I know Wm. H. Russell, and have seen him frequently. I do not recollect seeing him that day. I have seen him about Kansas City, but I do not know where his residence is.

Cross-examined by Mr. Woodson:

Mr. Whitfield, Mr. Wakefield, and Mr. Flanigan were candidates for delegate to Congress. I know nothing about the residence of Whitfield and Flanigan. Report said they were not residents, but I do not know. Mr. Flanigan was not a resident, so far as I know. I knew nothing about it; I do not know where he resides now, or at what time he left after the election.

H. BURSON.

LAWRENCE, K. T., *April 28, 1856.*

AUGUSTUS WATTLES called and sworn.

To Mr. Reeder:

I came into the Territory about the 1st of May, 1855, and settled on Rock creek, in the second district, nine or ten miles from Lawrence; and my family has resided there ever since, though I have been away on business, some, in other parts of the Territory. I have examined the poll-list of the second district, for the 29th of November, 1854, in connexion with the census returns. I find 25 of the census list of names in the poll-list, though some of them I never knew, and I do not think they ever lived in the district. I do not recognise in the poll-book any names of residents that were not in the census, but some I think I was acquainted with in Missouri.

Cross-examined by Mr. Woodson:

I came here in May, 1855, and was put up as a candidate at the second election, in May, 1855, and travelled over the district, and in that way became acquainted with a great many in that district.

I was not a resident of the district, and knew nothing of the residents of the district at the time of the election of the 30th of March, 1855. Mr. O. H. Brown took the census in that district, and was elected to the legislature.

AUGUSTUS WATTLES.

LAWRENCE, K. T. *April 29, 1856.*

WILLIAM LYON testifies:

To Mr. Reeder:

I voted here at the election of delegate to Congress in 1854, in No-

vember. A number passed my house where I lived, on the Californ ~~is~~ road, on the day before the election; they were inquiring the way to Douglass. It was understood from them that they were going to Douglass to vote, and that they were from Missouri. The next day (the day of election here) I met some as I was coming here to vote. I do not know positively that any Missourians voted here on that day. All that I inquired of, that passed my house, did not seem to hesitate in saying that they were going to Douglass to vote. I should think there were 100 or 150 who passed the house, and some of whom I inquired. After the election was over, I saw what I took to be the same company coming down the road they went up to Douglass, the same evening, and some the day after the election. These men were strangers to me. I do not recollect of seeing any women and children or furniture with them, or any goods in their wagons, going either way. I lived on this side of what I considered the Douglass line, and I voted here. None of the voters of the Douglass district could live down the road below me. The men seemed to be very noisy, and hurrahd for Whitfield, and some for hell, and some for Whitfield and hell both.

WM. LYON.

LAWRENCE, K. T., *April 29, 1856.*

JAMES M. DUNN called and sworn.

To Mr. Reeder:

I was at the election of the 29th of November, 1854, and gave my vote there. I was late in getting there—not till about 11 o'clock. The election was held in Douglass, at Mr. Ellison's house, I think. I saw no violence used there. I saw persons who were from Missouri, and knew a number of them, as I had been living in Missouri but a few weeks previous. According to my judgment, I do not think there were half the number of voters residing in that district that were polled there—261. According to the best estimation I can make, I should not suppose that more than one quarter of those present that day were actual residents of the district, as it was very sparsely settled at that time. I saw a number of voters that I thought were not of age, and one young man whom I asked told me he was not of age. I knew him in Westport, and knew that he was not a resident of the district.

JAMES M. DUNN.

LAWRENCE, K. T., *April 28, 1856.*

M. J. MITCHELL called and sworn.

I was here at the election of November, 1854, but was confined in my room with a cut leg. The election was held in the room where I was. They went on voting in the morning until up to ten o'clock. There was some talk that there was an abolitionist to vote, and it was said that the polls should not be disgraced by an abolition vote. They said they called an abolitionist any one who voted for Mr. Chap

man or Mr. Flanigan. I then took a ticket out of my pocket, and requested it to be put in the ballot-box, and my name put down on the poll-list. They refused to do so at first; but after some consulting they consented to do so, and said that would be the only one that should go in. The judges and clerk counselled each other about it, and the rest of the day there was no difficulty.

Cross-examined by Mr. Rees:

I think it was either 42 or 52 votes given that day. I think Mr. Chapman had 1 vote, and Mr. Flanigan some 6 votes. It was the clerk and one of the judges—either Mr. Watts or Mr. Horner, I do not know which—who said that there should be no abolition votes given. George Holmes, of Westport, was the clerk. I do not know of my own knowledge that he did not live here. If he has ever lived within one mile of this town since I have lived in this Territory, he must have kept himself very close, as I do not think any one has lived that near town without my knowing it. I do not know that he did not live within two miles of town. He had a claim near Mr. Stinson's claim. There was no house on it, and if there had been a tent on it, I think I must have seen it, as I used to pass there nearly every day before my leg was cut; and I saw nothing of the kind.

M. J. MITCHELL.

TERCUMSEH, K. T., *May 6, 1856.*

THOMAS HOPKINS called and sworn.

To Mr. Reeder:

On the election of the 29th of November, 1854, I was at Doctor Chapman's, in the fourth district. It was my first visit in that section of the country, and I met a great many there I got acquainted with in Jackson county, where I had made a crop that year—Mr. Leander Deharney, Shepherd West, and a man named Lyons—I think his name was William, but I will not be positive—and Henry Bracken. I also saw Mr. Berry from Cass county. I do not recollect the names of others at this time. A short time after the election I was at old Judge Bracken's. He told me he outfitted 20 men, furnished them with mules, and ways of getting here to vote. I saw these men at Chapman's, and had conversation with some of them. Mr. Berry introduced me to a great many of his neighbors, who told me they came here with the intention of voting. They told me how many there were of them, but I do not recollect their numbers now; but I think there were at that precinct between 80 and 150. Some of them said they supposed Kansas was becoming a free State, and they wanted to use their influence as much as possible to make it a slave State. I should suppose Chapman's was some 40 or 45 miles from the Missouri State line. I do not know how far it is from the line of the district; but I think it is called some 4 miles from the Santa Fé road, which was the line at that time.

I do not recollect any further about the voting.

THOMAS HOPKINS.

LAWRENCE, K. T., *April 30, 1856.*

PETER BASSINGER called and sworn.

To Mr. Reeder:

I came into the Territory the first of September, 1854, from Warren county, Iowa, and settled at what was called Black Jack point, on the Santa Fé road, in the 4th district.

I was at the first election after I came into the Territory, held at Doctor Chapman's, in November, 1854. I saw a great many men and teams travelling the Santa Fé road at the time of the election, and I hardly knew what it meant until some 40 or 50 men camped at my house. They came in the house off and on, and was talking and was wishing to know how I would vote; and after their insisting, I said, at last, I thought, if I did vote at all, I would vote the free-State ticket. One old gentleman—Mr. Ralston, I think they called his name, who lived between Westport and Independence—hooted at me, and said they were bound to have Kansas a slave State, if they did it at the point of the sword, and that it was not worth while for me to kick up about it. A man who had stuck up a stake by my calf-pen, said he had as much a claim there as he wanted. A gentleman rode up that I was partly acquainted with, and we rode to the polls after these men had started. One of their men had driven down a stake which they said was their claim, and I jumped down and pulled it up; and it had either 7 or 9 names on it, I do not recollect which. There was no person sworn, but all voted. I voted. The one I knew came back and staid with me all night. After we got back, he said, as all the fun was over, he would tell me the sport of it. He said that one man got drunk, and they sent for Doctor Chapman to come and see a sick man; and when they got him off, they got another man in his place a judge, who was not sworn in. These men at my house told me, some of them, that they lived in Missouri. One of them told me he lived in Jackson county. I have passed his house several times since. There was one who drove up to my house in his carriage, who was from Missouri, and inquired the way to the election. He said if he did not get to vote, whether he had been there long enough or not, he would give his team. He said that every man had a right to vote. I did not see arms about these men, except that almost every man had revolvers and knives belted to them. I saw arms in their wagons. I saw some guns there. After the election was over, they went back towards Missouri. I started for Independence the next morning, and some of them passed me that day. I left my wife at home. I camped that night at Cedar creek, and several of this party camped there. Some of them halloed for Whitfield, and some for Wakefield. The road seemed to be full of them. I was not very well acquainted in my district at that time. I saw others, more than staid at my house, on the road going back to Missouri.

PETER ^{his} + BASSINGER.
_{mark.}

LAWRENCE, K. T., *April* 30, 1856.

REUBEN HACKETT called and sworn.

To Mr. Reeder:

Came into the Territory 6th June, 1854; settled on Ottawa creek. Resided there since I moved my family there the 2d of September following. I came from Indiana to Illinois, and from Illinois here. I live in the fourth district. I was present at the election in November, 1854, at Doctor Chapman's. My acquaintance was not extensive in the district, but I think the population was not great. I got to the place of election between ten and eleven o'clock in the morning on the day of election. I saw a considerable number of men I was not acquainted with. I saw many of my acquaintances there also. I do not remember that I heard these strangers to me say where they had come from, or what for. I never saw these strangers before, and have seen but a few of them since, that I know. Those that I saw coming in, came from across the prairie towards Hickory point, and some from the direction of "Eight-mile" creek. I am not well acquainted with the district now, but I am acquainted with the persons on Ottawa creek and above; but there are persons on "Eight-mile" creek that I am not acquainted with. I have no knowledge of the exact number of families on "Eight-mile" creek.

I was at the election on the 30th of March, 1855. I do not recollect about the population in the district between the census and the time of election, except that it was increasing slowly. I saw a number of persons there I did not know to be citizens of the district. I did not count them, and cannot judge correctly, but can estimate them. I think there were some 80 odd votes polled. I should judge there were about 20 or 30 persons there, perhaps more, I was not acquainted with, that I did not know to be residents. There were persons in the district I was unacquainted with.

To Mr. Sherman:

Of the 80 odd who voted there, I probably knew some 30 odd persons. I cannot form any correct opinion of what persons besides were citizens or were not citizens of the district.

To Mr. Whitfield:

It was peaceable and quiet at both elections.

REUBEN HACKETT.

LAWRENCE, K. T., May 3, 1856.

REUBEN HACKETT recalled.

I have examined the poll-books of the election of the 29th November, 1854, in the fourth district, and I find upon that poll-list 30 names whom I know to have been residents of the district at that time, as follows:

J. T. Keeser, Charles White, B. C. Moore, R. Hill, R. M. Williams, W. David, J. Bradbury, G. Simmons, H. Lowry, W. Grace, C. Mayfield, Judge Bernard, T. Mockaby, A. F. Powell, J. Eddy, A. J. Miller, A. B. Gilland, F. Bassinger, E. H. Bassinger, E. Hill,

J. M. Banks, R. Hackett, J. B. Davis, J. H. Lockridge, A. Hanna, J. Curran, W. Ewart, O. Rand, Wm. Moore, J. Chapman.

REUBEN HACKETT.

LAWRENCE, K. T., *May 3, 1856.*

PERRY FULLER called and sworn.

Examined by Mr. Reeder :

I came into this Territory about the 6th of September, 1854, and settled on what is called "Eight-mile" creek, in the 4th district, and have resided there ever since. I was at the first election, of 29th of November, 1854.

I profess to be well acquainted with my district. I have examined the poll-list of that election, and find a good many names there of men who do not live in the district. There were 161 votes cast. I do not find over 24 or 25 names of residents at that time on the poll-book. There might have been more, but I think not.

I saw a great many strangers there on the day of the election—some of them from Missouri. I understood they camped on the ground over night. They were there early in the morning. There was considerable confusion on that day at the election polls. There were severe threats that they were bound to make Kansas a slave State. I did not know any of the strangers there.

I have looked over the list made out by Mr. Hackett, in connexion with the poll-books, and think it is correct. I live some eight miles from Mr. Hackett, in another settlement.

PERRY FULLER.

LAWRENCE, K. T., *May 3, 1856.*

JOHN F. JAVENS called and sworn.

I came into the Territory the 29th of February, 1854 from Westport, Missouri, and settled on the headwaters of the Marais des Cygnes, and was the first settler who made a claim there. It was in the fourth election district. I was at the election of November 29, 1854, at the house of Dr. Chapman, when General Whitfield was elected, and I voted there. There were citizens of Missouri who came there and voted at that election, some of whom I had been personally acquainted with for the last ten or twelve years. Among those I recognised, and whose names I find on the poll-list of that election, are James Price, G. W. Allen, H. T. Childs, A. B. Smith, Thomas Hall, John Price, M. Simmons, J. Campbell, and others. I conversed with some of them, and they told me they came there to vote. I asked them if they had a right to vote in Missouri and in the Territory too, and they said they were told by citizens of the Territory they had a right to come here and vote. They were armed, every man of them I saw. Many of them were cursing the Free-State men of the Territory. Some told me they had never been in the Territory before, and if they had

known I lived in that section of the country, they would have made their arrangements to have stopped with me the night of the election. They said they wanted to see the Territory anyhow, and that was a good time to do so. That they could come and vote, and see the Territory at the same time. When this was told me, some of the party were ready to start home, and these persons told me they would have to go back with the others, as their baggage was in the wagon, and but for that they would have stopped with me that night. After I saw how they were voting, and heard a number express themselves as being determined to outvote the Free-State party, if some of them had to stay and vote again, I left the polls and started home.

I find but a very few resident voters' names in the list, and I thought I knew all of them. I have not examined so thoroughly as to say how many there were. I saw three or four times as many armed men from Missouri on the ground as there were resident voters in the district at that time.

JOHN F. JAVENS.

LAWRENCE, K. T., *May 12, 1856.*

WILLIAM MOORE called and sworn.

I came into the Territory about the 16th of August, 1854, from Indiana, and settled in the 4th district, on the Ottawa creek, and have lived there ever since. I was at the election on the 29th of November, 1854, in that district. My acquaintance was very limited at that time. But in that district I do not think there were more than 25 or 30 resident voters. When I went to the election I saw a great many strangers there, which surprised me very much, as I thought I knew most in the district. I do not know that I recollect any conversation distinctly on that day about that matter with any of them. They were encamped some 200 or 300 yards from Dr. Chapman's house, where the election was held. I was not in their camp. They were armed with double-barreled shot-guns, bowie-knives, and revolvers. I heard them say they had as good right to come from Missouri and vote there, as others who were there and had come from other States. They did not appear to claim any residence in the Territory. The principal portion of them left an hour and a half or two hours after I got there, in carriages, buggies, and wagons, and were very noisy and profane, and appeared to be intoxicated. I saw a great many of them vote that day.

Cross-examined by Mr. Oliver:

I knew a Mr. Thomas Mockaby, as he said his name was, who was of this party of strangers. I think I heard as many as a dozen of these strangers say they were from Missouri. I think I saw at least as many as twenty-five of them vote.

WILLIAM MOORE.

LAWRENCE, K. T., *May 8, 1856.*

Dr. B. C. WESTFALL testifies:

I saw a great many persons coming from Missouri to the Territory at the time of the election, on the 29th of November, 1854, and I saw them after they returned home. They were residents of Missouri, and I was personally acquainted with many in our neighborhood, who said they were coming out to the election to vote, and elect men they considered suitable for officers in the Territory. After they returned, they told me they had been in the Territory and voted. They told me the precincts they had been to. I think some of them came to Dr. Chapman's, on Ottawa creek, and some to Pottowatomie creek. There was an uncommonly large tree had fallen at Pottowatomie creek at that time, and as I came out with some of them afterwards, they told me they had had a dance around it. They also told me they came very near mobbing the man Wilkinson for being a free-soiler, and who afterwards run on the Pro-slavery ticket; and it was with difficulty they were prevented from taking him out and whipping him. I lived near the line of the Territory, in the State of Missouri, at that time, and had lived in Jackson, Cass, and Johnson counties for the previous ten years.

B. C. WESTFALL.

LAWRENCE, K. T., May 8, 1856.

JAMES W. WILSON testifies:

I came from Missouri into the fifth district in August, 1854. I was at the election at Henry Sherman's, in that district, on the 29th of November, 1854. There were but few settlers at the election, but quite a number of non-residents there—a large number from Missouri. I do not think there were more than twenty residents at the polls at that time. There were eighty-two votes cast, of which I think the principal part were from Missouri. Some of the same men were there that were afterwards at the election at Bull Creek precinct on the 30th of March, 1855. I saw some little excitement that day, but not much, about the legality of their voting, but no fighting or quarreling. The Missourians voted the Pro-slavery ticket for General Whitfield, and said they intended to make Kansas a slave State; that they had a right to vote, as they had claims in the Territory. There was a number of them I have never seen or heard tell of being in the Territory since. Judge Teagle was there, managing the affairs, though he did not vote. He said he did not intend voting, but intended to see others vote. He was judge of the court in Jackson county, Missouri. He had several hands out there attending to cattle, who voted, and I have never heard of their being in the Territory since. Mr. Samuel Wade, of Jackson county, Missouri, near New Santa Fe, voted that day. Wade is a farmer, and still lives where he lived at the time he voted there.

J. W. WILSON.

LAWRENCE, K. T., May 9, 1856.

J. C. PRINCE called and sworn.

I was at the election at Fort Scott in November, 1854. I lived at that time in Cass county, Missouri, in a little town on the boundary-line, called West Point. I went out in company with some one hundred men the day before the election. It was about forty-five miles from where I lived to Fort Scott. A great number of the party had their tents and wagons with them, and camped out. I went out to Fort Scott, and staid there the night before the election. The most, perhaps all, the party were from Missouri. They went to Fort Scott to vote. On the day of election, Barbee and Wilson, two of the judges, made some attempts to swear some of the men; but they got them in some way not to swear the voters, and I think none were sworn that day. They all voted, so far as I know; at least they told me so. I think I was acquainted with about fifty who voted there, and who lived in Missouri at that time. There were but very few resident voters; I should think not probably over fifty. There were some there from Missouri who voted, with whom I was not personally acquainted. I should suppose there were but about twenty-five legal voters that day at Fort Scott. The settlement was sparse. Fort Scott was a trading point, with but one store there, I think. The voting was by ballot, and there was no violence there. There were several men pointed out to me as eastern emigrants, who intended to vote and leave, the same as the Missourians. They were strangers to me, and I do not know that they voted. I voted on that day, and upon examining the poll-list I find my vote put down as "No. 25, J. H. Prince." After the voting was over, the Missourians went to their wagons, and commenced leaving for Missouri. I did not leave until the morning after the election. Some of the most influential men of Missouri in the company that went urged me to go and vote. And the morning before the election I started in my buggy for Fort Scott, and staid all night at Colonel Arnett's, in Fort Scott. Whitfield and Wakefield were the candidates. I live now in Osawatimie, in this Territory, and have lived there about five months.

J. C. PRINCE.

LAWRENCE, K. T., May 9, 1856.

MATTHIAS A. REED called and sworn.

I came into the Territory from Jackson, Missouri, in August, 1854; took a claim; went back to Missouri, and came up the next month, and settled on the Wakarusa, in the seventh district, and have lived there ever since. I was at the election on the 29th of November, 1854, held at Frey McGee's. I saw a good many men there I was not acquainted with, and a good many men I had been acquainted with in Missouri. I was in their camp there—in Mr. Ross's camp, and John Flournoy's, and Abnet's. Samuel Ralston I saw there, and he showed me where he had staked off a claim, and said he had bought a large tree of Mr. McGee for timber. Some of them I saw there have claims in the Territory now, and are living here now. I

do not know whether Mr. Ralston ever lived on his place, though I understand he has blacks working on it; but whether he has any house on it or not. I judge I saw one hundred men. I do not recollect that I heard anybody say what they had come for. I did not stay there un-

Cross-examined by J. W. Whitfield:

There were a good many men who came here and in the fall, and I have not heard of them since—both pro- and free-soilers. Some made claims, and came back in the

To Mr. Sherman:

The district was tolerably thinly settled at that time. I cannot tell how many actual settlers there were in the district. There were not many settlers at the polls. I think I saw about forty there. I was tolerably well acquainted in the district. I had not been there a long time.

MATTHIAS A.

TECUMSEH, K. T., *May 7, 1856.*

The witness could not sign his name, having cut his

WM. F. JOHNSTON called and sworn.

To Mr. Reeder:

I first came into the Territory to locate a claim in the fore part of November, and brought my family here in the fore part of November, settled on one of the branches of the Wakarusa, in Jackson county, Missouri. I was at the election of November, 1854, at "One Hundred and Ten," as it was called in that district then, being at a place called Brownville.

I saw a great many wagons and tents there, and many men. I knew, from Jackson county, Missouri. I was among them, and I had a conversation with some there, and they told me they came with the intention of voting. I went up to them, and appeared to be very quiet. As I had a different colored party, the rest of our party, who had intended to vote for Flanigan, were challenged by Frey McGee, who had been appointed one, but did not serve. Lemuel Ralston was serving in his place on the road between Independence and Westport, Missouri. I had been acquainted with him since the year 1847. I then challenged the vote of a young man by the name of Nelson, from Jackson county, I knew. I first asked if he had come over to make a claim, and he said he had not. Finally the thing was settled, as I had a great many friends there from Jackson county, and might lead to a fight if I challenged any more votes. and I went down to the camp. I saw a great many men who had voted in Missouri the August before, at which time one of the judges. Among those I knew were Nathaniel

or four others in and around Independence; and from the township of Washington, that I lived in, there were some three or four Muirs, some Nolans, and a young man by the name of Case, but I did not see him vote; some young Harpers and Esquire Smith, then acting justice of the peace for Missouri; a man by the name of Abnett, and several others I cannot now remember. I was in their camp while here, but I did not see them leave, and but few came in, as they had principally come before I had got here. I was surprised to see them here, as I had heard nothing of their being here. There were several hundreds on the ground, principally from Jackson county, Missouri. I should suppose there were 300 or 400 at any rate—probably more than that, though I cannot say exactly. I did not see any man vote more than once that day. I left the polls immediately after the difficulty I had started, and went into the camp.

Cross-examined by Mr. J. W. Whitfield:

There were a great many persons coming into the Territory at that time, taking up claims; but a great many of those I saw there that day I knew to be living in Jackson county, Missouri, for I have been in Missouri since, and found them living there. Some of them that day told me they stopped at Bull creek, and laid off a town, and took each a lot there, and that was all the claim they had. There were many who came in that fall and took up claims, and never came back again.

The following is the list of all the residents whose names I know on the poll-list: George W. Berry, William Daly, Wm. Holly, F. M. McGee, John Smith, Robert Turner, M. W. McGee, M. A. Reid, L. T. Cook, J. W. Brown, Wm. Handley, and Daniel Turner.

W. F. JOHNSTON.

TECUMSEH, K. T., May 7, 1856.

ALFRED LARZELERE called and sworn.

I came into the Territory with my family on the first day of March, 1855, from St. Joseph, Missouri, and settled in the Burr Oak precinct, in the 14th district, and have resided there ever since. I was at the election on the 29th of November, 1854. My family was then at St. Joseph, but I had made a claim in the Territory. I did not come over for the purpose of voting at that election; did not vote, and did not think I had any right to vote. Col. John Scott, Benjamin Harding, and Mr. Bryant were the judges of election. Those judges were elected, I think, after I arrived from St. Joseph. In the morning, when I got on the ground, I saw a great many citizens of Missouri there, principally citizens of St. Joseph. There was considerable excitement at the time I arrived, which appeared to be arising from a dispute between the citizens of Missouri and the citizens of the Territory, as to the right of Colonel Scott to act as a judge of election. I took no part in it. The issue was, that Colonel Scott was selected by the bystanders, the citizens of Missouri taking as active part in it as those who were bona-fide citizens of the Territory. Colonel Scott

resided in the city of St. Joseph, and held the office of city attorney for the city of St. Joseph at that time. I heard him claim that he was a citizen of the Territory, but I do not recollect that I heard him say what time he came over. He was selected and acted as judge. On my return to St. Joseph I inquired if he had resigned his office as city attorney, and was told he had not. He has exercised that office since, I think, up to the first part of last April. I forget whether I left before the polls were closed or not, but I was there a portion of the day. When I arrived on the ground I think there was a majority of Missourians there. I think in the after part of the day a good many of the Missourians had left before I did. Several voted then, but I could not name any one now. They contended with me that I had a right to vote, as they had, but I contended that such was not the case. There was a crowd of some 30 or 40 when I first went there, and I do not know as at any time there was to exceed 50 men; but the crowd was changing all the time. Judge Leonard, Wm. K. Richardson, and Reuben Middleton, seemed to be the most active persons there from St. Joseph. Wm. P. Richardson was there also, and I always considered him a citizen of Missouri up to that time. They insisted that the citizens of Missouri had a right to vote there, especially every man who had any pretensions to a claim in the Territory at that time.

Cross-examined by Mr. Scott:

I remember but one of the judges of election appointed by the governor, and his name was Mr. Irwin, of Iowa Mission, and he was not on the ground at the time I came up. Mr. Harding was there; but I do not recollect whether he was one of the judges appointed by the governor. He acted as a judge. I did not learn that the dispute was in consequence of Mr. Harding claiming the right, as the judge appointed by the governor, to appoint the other two judges. The dispute then was as to the right of Colonel Scott to act as a judge of election. I heard Colonel Scott claim that he was a citizen of Kansas Territory, and that he had come over and taken a claim, and I think he said he had taken board for a month with Mr. Bryant. I do not know as those remarks were addressed to any particular person, but I understood them to be made publicly to the bystanders. There was a dispute as to his right to serve as a judge; and to establish his right, I think he made those remarks. I do not recollect any argument that a judge of the election was not necessarily required to be a citizen of the Territory. I think it was generally understood by all parties that a judge must be a citizen of the Territory. I understood him to say that he had made a claim, and had taken a month's board at Mr. Bryant's. I recollect one instance of a man being asked to be sworn as to his residence, and he refused, and did not vote, and went off swearing because he was not allowed to vote. Mr. Harding, and I think Mr. Bryant, acted as judges of the election, and were both actual residents of the Territory at that time, I think.

A. LARZELERE.

LEAVENWORTH, K. T., May 23, 1856.

BENJAMIN HARDING called and sworn.

I moved into the Territory in 1852. I resided in the Burr Oak precinct of the 14th district. I came from St. Joseph, Missouri, where I had resided several years. I was judge of the election on the 29th of November, 1854, appointed by Gov. Reeder. The other two judges appointed by the governor did not appear at the time of opening the polls. When the time arrived, I stated to the crowd that the other two judges were not present; gave a statement of the governor's instructions for such a case, which was for the voters on the ground to select other judges. I then nominated Mr. Waterson, and the crowd present voted him down. Several came around me then, and told me they thought there was no hurry, and that probably the other judges would yet come, and advised that further proceedings be deferred; which was done—deferred until nearly 10 o'clock. During this time there was a discussion arose as to the right of those on the ground to vote for judges. My impression at the time was, that a large majority of those present were from Missouri, residents of Missouri. Some one nominated Mr. Bryant as a judge, and he was elected by the crowd. The discussion still continued about the right of those to vote, and contended for very strenuously by some of the leading men from Missouri. Some one in the crowd had nominated Col. John Scott. It was my impression that he resided in St. Joseph. Mr. Bryant came to me, and stated to me that Mr. Scott had come to his house the night before and engaged boarding for a month, and he considered him a resident of Kansas on that ground. I still considered him a resident of Missouri, and refused to put the vote to the crowd. After some discussion Judge Leonard, of Missouri, stepped forward and put the vote himself, and Mr. Scott was elected by the crowd, and he served as a judge of election that day. Mr. Scott has never lived in the district since, to my knowledge. I did not again see him in the Territory for several months. I suppose a majority of the votes cast that day were cast by resident settlers of the district; probably a handsome majority. Votes were cast by some I considered non-residents. I should give as an approximation that two-thirds, and perhaps more, were actual residents of the Territory. There were votes received there from those I considered non-residents, upon their oath or affirmation that they considered themselves residents of the district. I objected to receiving those votes, but I was overruled by a majority of the judges. I considered that it was the duty of the judges to examine voters with regard to facts only, and then to decide whether they were entitled to vote from that expression of facts. Persons were challenged and sworn, and I differed from the other judges as to their right to vote from their statement of facts. The other judges thought they were entitled to vote if they swore that they considered themselves residents; and thus the majority overruled me.

Cross-examined by Mr. Scott:

But one of the judges appointed by the governor, myself, was present at the time the polls were to be opened. I did not undertake to appoint other judges. I merely nominated one, and put the vote to the crowd, and they voted him down. I claimed no right to appoint the other

judges. I did not call Squire Waterson into a room, and ask him, as a justice of the peace, to swear me as judge, that I might thereby have a right to appoint the other two judges. I undertook to claim the right of judging whether those on the ground had a right to vote for judges. I did not ask Squire Waterson to swear me at all before the other judges were elected by the crowd. As an appointed judge of the election, I claimed the right, before I was sworn in, to judge as to the qualifications of persons present to vote for judges, for I considered that a portion of my duty. I had received no private instructions from Governor Reeder to that effect. I could not state that Colonel Scott, of St. Joseph, declared, publicly or privately, that he considered himself a citizen of Kansas Territory. Every man who voted that day did not swear that he was an actual resident of Kansas Territory, for those whom we knew to be residents we did not require to swear at all. I believe all those who were not known to the judges to be actual residents, took an oath that they considered themselves actual residents, before they voted. Judge Leonard, of Missouri, and other persons, were refused permission to vote because they would not take that oath. I asked Major Wm. P. Richardson some questions in regard to his residence, and he refused to answer me; stating that Col. Scott should question him, and that he would answer no questions I might ask him. Previously to his refusing to answer my questions, I might imprudently have asked him which he considered the head of his family—himself or his wife. I intended it as a joke, and supposed it would be taken as such. It was after that that he refused to answer any questions put by me. I believe that the same questions were propounded to and answered by him, as to and by other persons, before he was permitted to vote. The other two judges, I think, expressed their opinion that each man was the best judge as to his own actual place of residence.

B. HARDING.

LEAVENWORTH CITY, K. T., *May 24, 1856.*

A. A. JAMISON testifies:

To Mr. Reeder:

I have examined the poll-lists of the 14th district for the 29th of November, 1854. I found the names of the following persons I know who then resided in Missouri. The following is the list: Alexander Davis, Sidney Tenent, George C. Collett, Andrew Cox, F. C. Hughes, William Turpin, and Oliver H. P. Craig.

A. A. JAMISON.

TECUMSEH, K. T., *May 6, 1856.*

THOMAS W. WATERSON testifies:

To Mr. Scott:

I was at the election in the 14th district, at the house of Benjamin

Harding on the 29th of November, 1854. I was on the ground before the judges of election were appointed that day. None of the judges appointed by the governor were present there, except Benjamin Harding. The hour of opening the polls had about arrived when I got there. Directly afterwards Mr. Harding invited me into his house. I was then an acting justice of the peace, commissioned a short time before. We had a good deal of conversation about the election, and he asked me to swear him as one of the judges appointed by the governor. This was before any of the other judges were appointed. I told him he had better wait until the other judges had been elected, and I would swear them all in at the same time. He stated that there were a great many of them who were not entitled to vote for judges, and he wanted to be sworn in, that he might decide who were legal voters to vote for judges. I then told him that, in my opinion, he had not the right to decide that, according to the proclamation of the governor; that it was for each man to determine for himself as to his right to vote; and, therefore, I declined swearing him in. He then asked me what he should do. I told him I thought the best plan was to take the law, read it to the crowd, and let every man judge for himself; which he did. He also wanted me to serve as one of the judges. I said I did not want to serve; but he put me in nomination, and I was voted down by the crowd by a large majority. I was an acting justice of the peace in and for the 14th district of Kansas Territory.

T. W. WATERSON.

LEAVENWORTH CITY, K. T., *May 24, 1856.*

JOHN W. FORMAN called and sworn.

To Mr. King:

I came into the Territory from Missouri about the first of April, 1843. I removed to Doniphan, where I now live, in 1853. I was appointed by Governor Reeder judge of the election of November 29—of the election of delegate to Congress, which was held at the house of Benjamin Harding, in the 14th district. When the election came on, I was just recovering from a long spell of the typhoid fever, and, much to my regret, I could not attend the election. The election was held about 14 miles from my house. But few of my neighbors attended. They were almost unanimously for Whitfield, against any other candidate running.

JOHN W. FORMAN.

LEAVENWORTH CITY, K. T., *May 27, 1856.*

J. B. CRANE called and sworn.

I live on the Fort Riley road, about ten miles from here. I moved there from Buchanan county, Missouri, on the 20th of August, 1854. I was at the election of the 29th of November, 1854, at Mr. Pensens-
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au's, on Stranger creek. I am tolerably well acquainted in the southern part of the district. One Mr. Frasier was one of the judges of that election, and I think R. Riddle another; but I do not recollect the name of the other. There were a good many people, pretty much all strangers to me, at that election. I think there were some three hundred votes polled there that day. I left the place of election about 3 o'clock in the afternoon. I saw one man there—a Mr. Lewis Burnes, from Weston, Missouri, that voted. There was some dispute about the polls, about the right of Missourians to vote—some saying that any man having a claim in the Territory had a right to vote, no matter where he lived. I should think, from what I saw and heard about the polls, that not more than one hundred votes could be polled in that district at that time. I think there were at least two hundred votes given that day that were given by non-residents. There were some of my neighbors who were not at that election. From the fact that I know that some of the residents did not vote, and from all I can form an idea of, I think there were not more than one hundred resident votes given that day. I do not recollect of seeing any arms there, except some few bowie-knives and pistols, and perhaps a few guns. I saw some of these strangers coming in from towards the river—some in carriages and some on horseback. I remained there until some of them left, and they came back towards the river. I saw some of them vote. I saw no fighting, and no one was prevented from voting that I know of.

Cross-examined by Mr. Whitfield :

Mr. Whitfield and Mr. Flanigan were the two candidates at that election. I voted for Mr. Flanigan. I do not know when he moved into the Territory, and do not know where he lived. I never saw him. I do not know whether Mr. Flanigan resides in the Territory now or not; but I believe he does not. I do not know when he left the Territory. I have heard of his being in the Territory since the election, but do not know what became of him. I was not acquainted in the district, as a general thing, except in the south and southwest portion—perhaps one-third of the district. I do not know the size of the district. It is a large district, and included Kickapoo. I do not know about the town of Atchison. I think the boundary of the district followed the military road to the Stranger creek, and then went up the Stranger; do not know how far. Some of the strangers I have spoken of might have lived in the portion of the district I did not know, but I do not think so. They might have lived there. There was plenty of room for them, but I do not think they did. I recognised but one man whom I knew to be from Missouri. Of late it has been a pretty general practice to carry arms in the Territory, but not at first; though a man moving in generally had a rifle, but did not carry it about with him. There were a good many persons about that time looking out for claims in the Territory, but not so much as a short time before; and but few did so where I was acquainted. I heard no complaints at that time about a want of an organized government here in the Territory.

J. B. CRANE.

LEAVENWORTH CITY, *May 19, 1856.*

FRANCIS M. POTTER called and sworn.

I live about twelve or fourteen miles northwest of this, in the fifteenth district. I came from Buchanan county, Missouri, to the district, on the 16th day of October, 1854. I was at the election at Pensenu's on the 29th of November, 1854. I think I know Jesse Morin—Captain Morin, as we call him. I am not very well acquainted in that district. There were quite a crowd of men at that election, and I saw some from Buchanan county, Missouri. I saw James Ellison, Samuel Singleton, Allen Pullen, John Galbraith, and a man by the name of Kirk, who has moved into the district since, but I do not know where he lived then. I do not recollect about an encampment. There were a great many people there, coming on horseback, and in wagons, from towards the Missouri river. I should suppose there were some three or four hundred persons there. I think not more than half of the persons there were residents of the district. I did not vote that day. I saw some of these people go away towards the military road. There were a good many there when I left. I did not see any man vote that day.

Cross-examined by Mr. Grover:

I am not certain as to the residence of Mr. Pullen. I frequently saw him attending on a ferry on the Missouri, and my understanding was that he lived on the other side. The ferry was at Iatan, Missouri, across the river. The way I got my understanding that he lived in Missouri was, that I always saw him in Iatan when he had nothing else to do. He may have lived in the Territory, but I never knew of it. I think there was no settlement on the river opposite Iatan; if there was, I did not know it. I think Mr. Pullen did live a while on this side of the river after that. I do not know as the people of Atchison came to Pensenu's to vote. Atchison was a small place then. I had been there. Men, in going from Pensenu's to Atchison, would go out towards the military road. I suppose those also to Port William, Kickapoo, and Salt Creek valley. I think probably these points would embrace more than a majority of the votes in the district. I cannot tell how many I saw leave Pensenu's to go towards the military road. I could not state whether I knew half of the resident voters of the district at that time or not; I may have; it is likely I did not. I saw no one vote that day. I do not know where Jesse Morin was living at that time. A week or two before that election I saw Morin in De Kalb, Missouri; but I did not know where he lived then, and I do not know where he lives now. The citizens of Kansas frequently went over into Missouri at that time; I did myself.

F. M. POTTER.

LEAVENWORTH CITY, K. T., May 20, 1856.

JOHN W. HOUSE called and sworn.

I live about six or seven miles from here, on the military road, in

the fifteenth district, and have lived there since the middle of September, 1854. I was at the election at Pensenau's on the 29th of November, 1854. I saw some persons there from Missouri, and some two or three vote. There was quite a crowd around the polls. I voted that day for Mr. Flanigan. I came into this district from Platte county, Missouri, where I had lived some ten or twelve years. I know Jesse Morin, who used to live in Platte City, and I understood he lived above Platte City some six or seven miles, at the time of that election. I know Ira Norris lived in Platte City, and Hugh McKowan. I know several John Millers in Platte county, but none in our district. I know S. Johnson, Samuel Dickson, Isaac House, my brother, Leonidas Oldham. I knew a J. B. Mitchell in Missouri, but know of none in our district. I know Henry Debard, about Platte City. I knew a Lapp, who lives in Iatan; I know of none in our district. I know John Groff, who lived in Platte county, but none in the Territory. James Sweeney lives in Platte county. I know a Duncan, who lived in the edge of Buchanan county; he owns a claim here now, but I cannot say where he lives. Thomas Douglass lived at Iatan. John Bryan I know, as also Robert Ely. William Dignum, who lives in Platte county, and A. W. Hughes, a Mr. Fisher, a Dr. Fisher, I knew lived in Weston. N. R. Green lived in Platte City. Colonel Lewis Burns lives sometimes on one side of the river and sometimes the other. I know James Brooks. I do not know any Bowman in my district, but I know one in Weston. I know P. Yocum, who lived in Missouri. Allen Pullen used to live in Iatan. I know James Mulky, and James Bolton, who now lives in the district. D. W. Quimby used to live in Platte City; he never lived in our district. I know Job Robbins. Jonathan Lacy lived in the district at that time, I think. A. G. Boyd did live in Kickapoo. James H. Kessinger and J. D. Pepper lived in Platte county. S. H. Oliphant, I think, lived in Platte City at that time. Samuel Pepper and Warren Blanton lived in Platte county. Phineas Skinner lives in Platte county, and is a wealthy man. He never lived in the Territory to my knowledge. Nathan Newby lived in Platte county, as did George Kitchen. Asa Vanaldanham did live at Weston, but lives in this city now, I think. I do not know any Staggs in our district. I knew some in Platte county. I saw some of these people at this election; among them my brother, and my brother-in-law, Mulky, and John Bryan. I had some conversation with them about voting. Bryan allowed he had a right to vote, and so did others. My brother did not live in the Territory at that time, and has never lived in the Territory at all, unless he has moved into it within the last week. I saw George Quimby here, and Jesse Morin. There were no persons bearing the names I have given living in my district at that time, that I know of. Some of these persons have moved into the Territory since. I do not know when Groff moved over here. My brother made no particular claim to vote, except that they had as good a right to vote as those of the Aid Society had.

Cross-examined by Mr. Grover:

I think I saw some persons vote that day; Isaac House, James

Mulky, and I think John Bryan, and some others, whose names I do not recollect, who came over from Missouri. I voted for Flanigan that day. I do not know Mr. Flanigan, and do not know whether he resided in the Territory or not. I never saw him but once, and did not know it was he until after he had gone. I heard of Flanigan's coming to the Territory before the election; but whether before Reeder came or not, I cannot tell. There was a general rumor prevailing that Flanigan came with Reeder. I do not know of any Jesse Morin who lived in the district at that time; though there might have been, as there were persons living within two miles of me I did not know. There might have been a number of persons bearing the names I have given, who lived in the district at that time, and I not have known it, though I do not think so. I do not know that Stephen Johnson and Ira Norris were not at Atchison, and interested in the town company there, as I have not been there. I saw Ira Norris at the election. I did not know that L. Oldham lived at Port William at that time, or that John Gough lived above Kickapoo. Some of the names I have given might have been of persons who had moved over here, though they used to live in Missouri, and some of them have lived there since. I heard Digman and McKowan say that day they lived in Missouri. I am not generally acquainted in the western portion of the district. I never was at Atchison and at Port William, and am not acquainted above Kickapoo much. I never saw Flanigan after the election, but heard he had gone back to Pennsylvania.

J. W. ^{has} HOUSE.
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LEAVENWORTH CITY, K. T., *May* 20, 1856.

H. B. GALE called and sworn.

To Mr. Howard:

I reside on the military road to Fort Riley, about ten miles from here, and moved there the 22d of October, 1854, from Missouri, and have lived there ever since. In the spring of 1854 I came from Mercer county, Missouri, and went to Buchanan county, and remained there through the summer. I was at the election held at Penseman's house on the 29th of November, 1854, about six miles from where I live. I am pretty well acquainted in the southern part of the district, where I live. I voted at that election. I do not recollect the number of votes polled. There were some non-residents there I knew to be such; some I knew to be from Missouri, and some came over here who said they were from Platte county, about Ridgley, who said they came to vote, and intended to make Kansas a slave State, and that they had claims in the Territory. They mostly came in wagons, and I saw a great many vote—mostly for General Whitfield. I think Flanigan got some 30 or 40 votes. I think Hickory Point was in that district at that time, but I am not positive. I do not recollect how many votes Whitfield got that day. I cannot tell how many of those

who voted were residents, and how many non-residents. I should judge there were between 200 and 300 at the election that day. I cannot tell how many resident voters were there that day, as I was not acquainted in the northern part of the district. There were quite a number of persons there from Missouri; one I knew, and lived near me when I was there. I heard some around the polls talk about coming from Missouri. I heard many say they had the right to vote, because they had claims here. This man who lived near me while I was in Missouri, has been living there some time since. I should judge there were, of those I heard talking about it, 40 or 50 from Missouri. There were some 30 or 40 I knew to be residents of the district there at the election. I saw no badge at that election. I cannot say that I saw any I knew to be Missourians vote at that election. Some of those I saw there I knew, were Mr. Burns, of Platte City, and John Hamner, from Buchanan county, who told me he voted. I do not recollect the names of any others. The town of Atchison, I think, is in the district I live in.

To H. Miles Moore:

I heard when I got to the place of election that there had been a speech, but I do not know who made it. There was something said about there being no question of slavery in the election, but I do not recollect much about it.

Cross-examined by Mr. Whitfield:

I saw Mr. Flanigan once, as he called at my house, but I never saw him at any other time. I do not know where he resided. I understood he came from Pennsylvania, but do not know as he said so. I have never seen Flanigan since. I think Flanigan had no circulars with him then. I think I have seen circulars put out both by Flanigan's and Whitfield's friends, but I do not remember about the question of slavery being put in issue. I do not know whether Flanigan lives in the Territory or not, but I understood he left immediately after the election. I was not well acquainted in the northern part of that district. It commenced near the Fort reserve here, and followed the military road to the crossing of Stranger creek, and went up the Stranger, but I do not know how far. I think it included Atchison. I saw but two Missourians there that I knew by name, and did not see them vote, and do not know for whom they voted. I do not recollect of there being any complaint when I came into the Territory because it was not sooner organized, though I heard it through the following winter. The delay was charged on Reeder. There were many persons coming into the Territory that fall, hunting up claims.

H. B. GALE.

LEAVENWORTH CITY, K. T., May 19, 1856.

CAMPBELL LOGAN called and sworn.

To Mr. Scott:

I resided, on the 29th of November, 1854, in what is now Atchison county, about two and a half miles from Kickapoo, in this Territory.

The candidates at the election of that date, which was held at Pense-nau's, were General Whitfield, pro-slavery; and some one on the other side, I do not now recollect. I was not at the election that day at all. I have never been at the place where the election was held. James Logan, my brother, was not at the election that day.

[The remainder of the deposition is stricken out, according to ruling at Westport, Missouri.]

CAMPBELL LOGAN.

LEAVENWORTH CITY, K. T., *May 28, 1856.*

JOHN A. LINDSEY called and sworn.

I was present at the election on the 29th of November, 1854, in Leavenworth City. I was not much acquainted with the people here, but from appearances believed there were a large number of non-residents here. I did not go to the polls to vote myself until the afternoon; but I took several persons up to vote, and there was quite a crowd around the polls, and it was with great difficulty that they could get to the polls. I think that they mostly voted. Right around the window where the voting was going on, I think there must have been from 75 to 100 persons, and the town was full of persons. There were then about three or four houses in the town. When I went to vote myself in the afternoon, there were some persons who kept in front of me. I did not know any of them, except a man known as Dick Murphy. When I would try to get in, they would pull me by the coat, crowd me, and I could not succeed to get through the crowd. I then went round and hurrahd for General Whitfield, and some of them who did not know me said, "There is a good pro-slavery man," and lifted me up over their heads, and I crawled along on their heads, and put in my vote. Then some one who saw my ticket cried out, "He is a damned abolitionist, let him down!" and they dropped me. Many others that I supposed to be pro-slavery men voted in the same way. That was the way of voting by several persons in the latter part of the day—by lifting them over the heads of the crowd to the polls, to enable them to deposit their vote. I know of no free-State men, except myself, who voted that way. All the free-State men on the ground, whom I know, that day voted by crowding up through the crowd, as voters generally had to do, except those who were passed over.

Mr. Flanigan ran as a Nebraska democrat and friend of the administration. Mr. Wakefield was called "the abolitionist's candidate." Mr. Whitfield was running as a pro-slavery democratic candidate.

To Governor King:

I had every reason in the world to believe that they were not residents. There were a great many settlers in the Territory that I did not know, and such as these I could not distinguish from other strangers who may not have been residents of the Territory. I do not recollect any strangers present that day, that I knew to be Missourians, for I never had been in that State but once, and then only to stay all night. I have no acquaintance with people of that State.

I saw no votes given in that day that I knew to be illegal. I saw one man's vote challenged there, on the ground that he was a non-resident. This was the only man I saw challenged or objected to, and I don't know whether he voted or not. I was about the polls the fore part of the day, but did not vote until the afternoon. The difficulty was not at the polls, but in getting to them; and I thought that difficulty grew out of the political opinions entertained by voters. The pro-slavery men were handed over the heads of the people, and handed back again without any trouble. I suppose that those persons around the polls were persons who had voted, or were there to vote, as far as I know. I can't say who voted, or who did not, but that they were voting continually. All the houses I recollect of then in this city were the hotel, the Kansas Herald office, Stevenson's grocery store, a tin shop, and Dr. France's office. Dick Murphy, of whom I have spoken, was a resident of this town, I believe; and his conduct that day, although it impressed me with the idea that he did not want me to vote, yet it was in a laughing way; but he always seemed to be right in front of me whenever I endeavored to get to the polls. I tried for an hour or an hour and a half, and then retreated. The reason I did not get to the polls was a combination of the crowd and Dick Murphy. I don't know whether this was a concerted combination or not.

J. A. LINDSEY.

LEAVENWORTH CITY, K. T., May 29, 1856.

Dr. JAMES NOBLE testifies:

I was at Leavenworth City on the day of election, on the 29th of November, 1854, and voted there, but not for Gen. Whitfield. There was a large number of people here. I do not recollect of seeing any one vote but myself. There was a large crowd around the polls, and men pushing for the polls. Most of them were Missourians, and hurraing for Whitfield. I tried several times to get in before I could get to the polls. There seemed to be no quarreling, that I could see, but a good deal of crowding.

What I mean by Missourians is, that they lived over in Missouri. I think a majority about the polls, when I was about the polls, were Missourians. I saw old man Hunt, from below Platte City; he said he had as good right to vote here as any man, and was going to vote. Pleasant Ellington lived up near Ridgley, in Platte county. I do not suppose all the Missourians I saw there voted, for I heard one say he had not voted and would not vote.

Cross-examined by Mr. Whitfield:

I had been living over on Stranger creek some time before that election, but I do not recollect how long. My acquaintance was limited in the district at that time. I do not know how large the district was at that time, but I understood it was pretty large. I saw no one vote but myself. The candidates on that day were Gen. Whitfield, Judge Flanigan, and Judge Wakefield. I do not recollect of hearing the name of Chapman as a candidate. I never saw Judge Flanigan.

The general rumor was, that Flanigan was from the east, and did not reside here; that Judge Wakefield was here with his family, and was a free-State man; that Gen. Whitfield was a Missourian, merely an Indian agent here, and in favor of bringing negroes in here. That was the reason I voted in favor of Wakefield, and against Whitfield. I understood Flanigan left after the election, but I do not know how long.

Two of the judges of election were Neill Burgess and Mr. Twombly, and I do not recollect of ever knowing the third one. I was in town several hours, and sometimes about the polls. I saw no one at the window, except those I thought were voting. I do not know as there were more strangers here than usual. I think a great many around the polls I knew; some of them I did not know. I saw them cutting up antics; and it was pretty hard to get to the window, but I was not frightened at all.

JAMES NOBLE.

LEAVENWORTH CITY, K. T., *May 21, 1856.*

SAMUEL F. FEW testifies:

I came into this Territory in 1854, from Virginia, and have resided here since. I was here on the election of the 29th of November, 1854, when Whitfield and Flanigan were candidates. I think I was the first man who voted that day. I then left and went home. I did not notice any persons, strangers, camped here that I now recollect of. I know only that I voted. There was a gentleman from Virginia, his family living in Missouri, who was with me. He had a claim here, but had not his family, and immediately after the election he went and brought his family here, and has been here ever since. I cannot now say that I know of any persons coming from Missouri. Many came from the island opposite here, but that is decided now to be in Kansas Territory. There were many persons here, but I knew but few persons then. There were settlers on that island at that time. I knew but one man who lived on the island. I have no doubt that there was a majority at that time in favor of General Whitfield; I thought it was a one-sided affair.

To Mr. Oliver:

I have no doubt there was a large majority here pro-slavery; that there was no need of assistance at that time. I never heard of Mr. Flanigan till Governor Reeder came out here. The election came off on Friday, the 29th of November, 1854. My family was at Independence, Missouri, and I went down shortly after the election, and Phelan and Flanigan went down on the same boat with me, getting on board at Kansas City, and I have never seen them since. I had not got the returns of the election at this point, and I heard the final result at Kansas City. Judge Flanigan told me he was coming back to this city, proposed to buy my claim, and asked me to be his family physician. I told him I was not a candidate for practice as a physician. I do not know that I saw any others going back to Pennsylvania with

Flanigan, except Phelan. I think, if he had ever come here to this city, I should have seen him. I heard once that he was on his way back, but I never heard that he had got here. I did not talk with him about the election. I was tolerably intimate with Major Ogden and Major Macklin. They wanted Major Ogden to be the candidate here for Congress. I knew him to be a shrewd, calculating man. I knew that Major Macklin was the owner of slaves; and that they were not willing to have Major Ogden enter the field if the slavery question was to be sprung.

Major Ogden was regarded as a free-State man. Major Ogden declined to run if the question of slavery was sprung. Major Ogden was then the quartermaster at the fort. I know that Major Macklin wanted Major Ogden to run. From all the means of information I had, I am positive that on the 29th of November, 1854, there was a pro-slavery majority here, and I thought there was no need of assistance here.

To Mr. Sherman :

I do not recollect the number of voters at that time. There was but a small population on the Delaware lands at that time, compared with the present. There was a pretty large settlement on Salt creek. I paid but little attention to that election.

To Mr. Whitfield :

I regarded this as my residence from the time I first came here. My family were at Independence, Missouri, till I could build a house here. The gentleman from Virginia who was with me on that day, was similarly situated. I think there are now upon the Delaware lands probably a population of 5,000. I recollect a circular put out by Flanigan's friends at the time of that election; but I recollect but one thing about it—that Mr. Alexander took the stump as the pro-slavery advocate for Flanigan. But I do not recollect what names were on that circular. Mr. Alexander still lives here in the Territory.

To Mr. Oliver :

I considered Judge Flanigan the Free-State candidate, and General Whitfield the Pro-slavery candidate at that election.

To Mr. Whitfield :

Mr. Flanigan had no residence in the Territory that I know of. I heard that Phelan and Flanigan bought a share in Leavenworth, but they have never lived here.

To Mr. Rees :

I do not know who circulated the circulars for Flanigan. I only know three persons whose names are attached to the copy of the circular shown me—Mr. J. M. Alexander, B. H. Twombly, and Charles Leib. If Doctor Leib is now a resident of the Territory, I do not know it—certainly not about here. Alexander, I understand, is living at Leecompton. Twombly is living near here.

To Mr. Howard :

I think Doctor Leib left here soon after he took the census.

To Mr. Sherman:

I think I recollect that a counter-handbill was got up by General Whitfield's friends, in reply to this of Flanigan's; but I do not recollect the names.

SAML. F. FEW.

LEAVENWORTH CITY, K. T., May 17, 1856.

GEORGE H. KELLER called and sworn.

I moved my family into the Territory on the 7th of October, 1854, and to this place. I kept then the only hotel in the place, up to June, 1855. I have resided here ever since I came here. I came here from Platte county, Missouri, near Weston; had lived there for 16 years, except one year that I was absent. I was present at the election of the 29th of November, 1854. The settlement here was comparatively small. The town of Leavenworth was laid out in August and September, 1854. Mr. Neil Burgess was one of the judges of that election, but I do not remember the others. I was very busy in my hotel, in one room of which the election was held, and was about the polls at various times during the day. The election was held at my house, from the fact that there was no other room in town suitable for that purpose.

There were a great many strangers came into town the day before, and on the day of election. They were camped all around here, like a camp meeting, but I cannot tell how many there were. I do not know that these men were armed. I was very busy, and could not pay particular attention to their appearance. They generally camped in tents, and part of them brought their own provisions with them, and cooked them for themselves. I think they were camped in companies, in messes in wagons, probably from 10 to 15 in a wagon. There were no women with them generally, as I saw, and none in the camp. They had no baggage besides their provisions, that I saw. I knew some of these men. It would be hard for me to recollect all I knew; but I can name some of them: Mr. John Wells, Judge Almond from Platte City, Mr. John Vineyard, Mr. Washburn, Smith Calvert, and a great many others I cannot now recollect without hearing their names.

I heard some companies who came in, say they came from Clay and Ray counties. Those that I have named were from Platte county, and were my old neighbors. They said they came here to vote. They said they had as good a right to vote here as anybody that comes from the east. They claimed to be residents of the Territory, from the fact that they were then present. Some of them remained here until the next day, and then left. Some left the day of election. I do not know that they said anything about their intention of going and returning. I saw some of them vote. I was not there all the time; but others, whom I did not see vote, told me they voted. There was some excitement during the election, but nothing very serious—but a little knock-down—some of our old Kentucky election fights. I

know some of the citizens who did not vote, but only know the reasons from them. I voted that day for Mr. Whitfield. The following are the names of those on the poll-books who were residents here at that time: Samuel F. Few, A. McAuley, Jerry Clark, James W. Rich, Asa Smith, Francis A. Hart, David Brassfield, Nicholas Lockerman, G. W. Riley, Green D. Todd, A. Russell, Zachariah Mills, Jeremiah Howell, Wm. Dawson, Miles Shannon, Jas. Noble, C. McCrea, Geo. D. Stevenson, Stephen Noble, G. B. Panton, L. D. Pitcher, Adam Linhart, S. H. Burgess, R. E. Saunders, John Thomas, John P. Richardson, H. C. Dunn, H. D. McMeekin, J. B. Hyatt, Eli Moore, John Reed, Wm. G. Mathias, J. Hoyt, Wm. Large, A. T. Pattie, Wm. M. Bukum, D. Scott Boyle, Hiram Rich, Wm. B. Simmonds, R. H. Fielding, Thomas C. Bishop, Wm. Wallace, John R. Mize, Stephen Sparks, M. F. Conway, R. R. Rees, J. K. France, Thos. S. Slokum, Wm. Sparks, Zach. Sparks, Daniel Creech, J. T. Hook, E. K. Adamson, Wm. L. Blair, Hiram Kelly, J. E. Grant, Franklin Keyes, Floyd Shannon, A. Payne, A. Cunningham, Michael Kelly, Daniel C. Ames, Wm. Tanner, John M. White, Godfrey Grase, F. Engleman, John A. Lindsay, Adam Deitz, Robert L. Ream, B. L. Sellers, John Owens, Wm. Engleman, M. France, H. M. Hook, John Wallace, T. B. Silkman, F. E. Bird, Clement Naif, George Keller, John J. Bentz, John Keffer, J. H. Day, L. F. Mills, L. J. Eastin, Jos. H. Edsall, R. Coakland, Charles Leib, W. S. Yoke, Saml. France, G. M. Fisher, Lewis N. Rees, Jones Creach, James Skinner, N. Sage, Adam Fisher, Henry Smith, John Smith, (97 in all.)

The following list are the names of persons on the poll-books I know to have been residents of Missouri at that time; the rest I do not know, and cannot tell where they belonged: Malcolm Clark, Richard Stoddard, J. V. Chance, Jarret Todd, Thos. L. Owens, Geilin L. Brown, Pleasant Ellington, Wm. T. Yokum, John Moore, John Dunn, Thos. Owens, Wm. S. Murphy, J. M. Guthrie, G. B. Redmon, James H. Hull, Robert Todd, Isaac Spratt, A. Dawson, J. C. Thomson, C. D. Elliott, A. H. Scott, S. J. Johnson, George Young, H. H. C. Harrison, John Drew, Robert Maddox, Dugan Fouts, (27 in all.)

I do not recollect that these strangers told me whom they voted for. They said they came here to make this a slave State. Mr. Vineyard told me that he intended to vote, did vote, and would come over here to vote at every election, as he thought it was right; and he wished to make this a slave State, and he had the same object in the delegate election. Flanigan was considered the Free-State candidate, and Whitfield the Pro-slavery candidate. Some of these men came on boats the morning of the election, and some in wagons the day before. I knew a great many citizens of the district when I saw them, but I could not call all their names. I was generally acquainted through the neighborhood here and at Salt creek, but not so well in other parts of the district. I should think there were from 100 to 200 who were strangers and came over from Missouri. I should not think we could poll more than 150 or 200 votes at that time. My house

and Captain Rees's house were the first built here, and there were but few others here at that time.

Cross-examined by Mr. Whitfield:

I could not tell where all the strangers came from; some of them told me they had come from Missouri. Some of the companies had men who were acquainted with me, and who called on me and told me they had brought a good company along. The candidates on that day were Mr. Whitfield and Mr. Flanigan. I do not know where Mr. Flanigan lived then, or lives now. He was here at that time, and I understood he was from Pennsylvania. He told me he was building a house on Salt creek, but I have never seen it. His nephew, I think, occupied it, and occupies it now. He had a son with him, I think. I cannot say how long he remained here after the election; not more than a week, I think. I have never seen him in the country since. I cannot say whether his son went with him or not, then. His nephew, Mr. Phelan, I think, did not go away with Flanigan. I cannot say who Mr. Flanigan came with to this Territory, but I saw him here at times, for some two or three months before the election. I think he was here before October. I cannot say whether he came with, after, or before Governor Reeder. I know that he was here, but cannot say exactly when he came or whom he came with. There were some circulars put out, but I do not recollect the purport of them now, as I had no reason to think about them. I do not know of any other free-State men who were here and took a prominent part in the election and left—except, perhaps, I should hear the names. I do not recollect the name of Coates. I recollect a Dr. Leib who was here. I cannot think of other free-State men who were here at the time of the election, who left immediately after the election. I think likely I saw Flanigan's circular that was out, but I have no idea what it was. I took it for granted that most of the officers of the fort went for you. I think Dr. Lyle was appointed to carry out messages, but I do not (know) what he was doing altogether. I thought very little of the man, and therefore paid very little attention to him.

There were large crowds about my hotel all the time. I was very busy, and was in my house most of the time, being but occasionally out. My business called me a great many times down to the store and office, after provisions and goods, and that was the most I attended to. The people were encamped just about here in different places, where they could get grass and water and be handy to town. I was not in the encampment. I do not know who were there, except that some of my most intimate neighbors told me that they were camped there and had their own provisions, and made apologies for not patronizing me. I saw wagons there belonging to persons who were my neighbors in Missouri. I heard some say that one of their reasons for coming here to vote was, that a candidate had been imported here upon them, and great efforts were being made to bring voters here against them. I do not recollect what hobby Mr. Flanigan was run on. I know I did not vote for him. There were at that time many persons coming over into Kansas and moving about, and great excitement about claims, &c. Some of them told me they voted, and the

major part of them I talked with told me they had voted or intended to vote.

The companies from Clay and Ray counties told me they voted. I do not know whether the majority of those people went back into Missouri or about in the Territory. I know they left. A great many Missourians have settled in this Territory. There were, I think, many Missourians who came over that fall, made claims, did some work upon them, went back and wintered in Missouri, and then came back to the Territory in the spring. I do not know whether persons in Missouri along the borders were waiting for the passing of the Nebraska bill, and the making of treaties with the Indians, to come over here and make claims. I did not see more fighting here and excitement at that election, than I have often seen at elections in the western country. It is a common thing to have fights at elections. I do not (know) whether because they are put off till election day or not. I think at that first election General Whitfield received a majority of the voters of the district that I knew.

To Mr. Oliver :

I think there were 100 or 200 persons from Missouri. I conversed with a great many from Missouri that I was intimate with. Many, a great many, who knew me would come in and give me the time of day, and we would have a little chat, and then they would go away. I conversed with a gentleman who lives in Rock House prairie, in Buchanan county. Mr. Jesse Vineyard told me their determination to come here and vote on all occasions. That was prior to the passage of the Nebraska bill. I do not think they told me about certain associations from the east who intended to control the subject of slavery here. Jesse Vineyard told me that if the bill passed, they intended to come over here and stay long enough to vote at any rate, and make this a slave State at all hazards. Judge Almond told me, observing to me, "George, we intend to make this a slave State, if we have to do it at the point of the bayonet."

G. H. KELLER.

LEAVENWORTH CITY, K. T., *May 17, 1856.*

LUCIAN J. EASTIN called and sworn.

To Governor King :

I reside in Leavenworth City, and came here in October, 1854, and was present at the November election of that year. It was conducted as ordinary elections in Missouri and Kentucky, in which States I formerly resided. I saw no one prevented from voting. There was a large crowd around the polls, that made it difficult to get to the window where the judges received the votes. I heard persons calling to others to give way, to let others get in. These calls were made by pro-slavery men. I saw no man vote whom I knew to be a Missourian, although I saw a good many Missourians here, many of whom told me they did not vote. There were others among the Missourians who had come over a day or two previous, and said they had

made claims, and intended to reside here, but might not be able to remain here during the winter; a good many of them are residents of the Territory, who came in the spring following, with their property and families. This class of men may have voted, but I do not know that fact.

I had the list of legal voters of that election. The Pro-slavery party at that election, as I believe, had a majority of from sixty to seventy-five votes in this district, as I was well acquainted with the voters, and made out a list with other persons, who knew men that I did not know; and this was the result, after giving all the doubtful votes to the Free-State party. The last two hours before the polls were closed, there were but few persons around the polls, and no difficulty in any one giving his vote.

To Mr. Sherman:

Mr. McAuley, I think, and Mr. Alexander, and some others, assisted me in making the list. I took the names of such as I believed to be legal voters, including some who had made claims in the Territory, of the class I have above referred to, where they had made statements to come over, and of having made claims; we then classified the votes between the two parties. I can't state how many we gave to each party, as the list is lost. I only remember the majority. I can only guess at the aggregate. I can't say how the aggregate compared with the poll-books. This list was made out just before this election. There were three candidates in the field at that election. Flanigan's position, as he stated it to me, and to the public, was that of a national democrat, though he preferred Kansas to be a free State. Whitfield was considered a pro-slavery democrat. I did not see the Missourians, who were over here, vote. They came over just to see how the election was going on, as they said to me. They were mostly from Platte county—some from Weston, and some from just opposite here, and other parts of Platte county. I cannot state the number precisely; but I think I saw fifty or more. They rode over; but I don't think they camped. They said they came over to see what was going on. I did not want them to come, as I knew we could beat the Free-State party, and especially as it was divided between Wakefield and Flanigan; and I think we could have beat them if they had been united. My opinion is, if it had been necessary to carry the election, they would have tried to vote; but they did not come for that purpose, as far as I know. The majority of the judges at that election were free-State men. I did not see any of the Missourians vote; but I can't say whether they did or did not. Mr. Twombly, Mr. Smith, and Mr. Burgess were the judges at that election.

L. J. EASTIN.

LEAVENWORTH CITY, K. T., May 29, 1856.

LUCIAN J. EASTIN recalled.

To Governor King:

Mr. Flanigan came out here with Mr. Reeder in October, 1854,

and soon announced himself for Congress in the columns of my paper. He was considered as Reeder's candidate, and made no permanent residence in the Territory. He was defeated in the election, and left immediately for Pennsylvania. He subscribed for my paper, and ordered it sent to that State. He said he was satisfied with Kansas, and that it was not the country that he expected to find it. I overheard him say, in a conversation, that he and his friends had no press here to defend them, and that their positions were misrepresented. Quite a number of his friends, who acted with him and voted for him, went away with him, or about the same time. Mr. John Phelan, I think, his relative, of Pennsylvania, had handbills printed for him, and left with Flanigan. Reeder had proclamations printed for the election at my office, and the friends of Flanigan had handbills printed at the same time. The friends of the latter took out for distribution the proclamations and handbills. Those who took the proclamations were appointed by Reeder.

L. J. EASTIN.

LEAVENWORTH CITY, K. T., May 29, 1856.

ADAM T. PATTIE called and sworn.

To Mr. Scott:

I was raised in Eastern Virginia. I reside now in Kansas Territory. I first came to Kansas in September, 1854, and have been here ever since. I was at the election of the 29th of November, 1854, in Leavenworth City. I was generally acquainted with the people in this district. I was frequently at the polls on the day of election. I voted myself, and I saw how it was conducted. I saw many persons vote that day. A great many I knew to be residents of the district. I saw nobody vote that day who was not a resident of the district at that time. I saw some Missourians here that day, and heard some of them say that their object was, and the general expression of opinion was, that if no non-resident free-soilers were allowed to vote, they would not vote. They stated that they came over to see a fair election, and not to interfere. The Missourians were armed merely with pistols and knives, but not more than it was usual to see in this country. I do not think I saw a gun on the ground. I saw persons, residents of the Territory, of both parties, with side-arms that day, as was customary here for all parties to have. I saw no violence offered, or any interference with the election; and I considered it as quiet an election as any I had ever seen in Maryland or Virginia. There were frequent requests for persons to come up and vote; and I saw no objection to any one going up to vote. The prominent candidates at that election were Gen. Whitfield and Judge Flanigan, between whom the contest seemed to be. I was not acquainted with Judge Flanigan, though I knew him by sight. I understood he had been in the Territory but a week or two before that election, and never, to my knowledge, had any family in this Territory, though I have heard him say he had one in Pennsylvania. He

left in a short time after the election; but I do not think he remained here long enough to get the result of the election. I have never heard of him since as being in the Territory. Mr. Flanigan represented himself to be the Free-State candidate, in opposition to Gen. Whitfield, the Pro-slavery candidate. I never knew of Governor Reeder having a family in the Territory, but I have heard of his having one in Pennsylvania. I know Mr. T. Conway, who was in this place at that time, and took an active part in that election. I do not know of his challenging any votes that day. He was not a candidate at that election, that I know of. I have since become acquainted with Mr. Jolly, who was appointed to take the census in the Kickapoo region, or the 15th district. Mr. Jolly said he had a family; that his family was in Iowa. I cannot tell how long he remained here after he got through taking the census. He had an interest in the town of Grass-hopper Falls, and I believe has now sold it; and I do not know that he ever had any permanent abode in the Territory at all, or ever had his family here. I am also acquainted with Charles Leib, who was appointed to take the census of the 16th district. He said he had a family in Pennsylvania. I never heard him say, just before he left, that he never had his family in the Territory. I have not seen him since then. These census-takers said Gov. Reeder told them to take the census, so as to show where each man came from; and Charles Leib said it was so that he could tell their sentiments upon the slavery question. I think that in November, 1854, the Pro-slavery party had a large majority in this district.

A. T. PATTIE.

LEAVENWORTH CITY, K. T., *May 27, 1856.*

THOMAS REYNOLDS called and sworn.

To Mr. Scott:

I resided at the time of the election of the 29th of November, 1854, on what was called "Seven-mile" creek, near Fort Riley, and the election was held at my house. There were few resident voters—not more than five or six not connected with the army—in that voting district. All the candidates at that election, we knew of, were General Whitfield and Judge Flanigan. I do not think any one in our neighborhood knew where the election was to be, until the day before the election. I was at the fort the day before the election, and Mr. Wilson told me who were judges, and that the election was to be held at my house the next day. That is the first I heard of it. I had been acquainted with Mr. Whitfield, and I voted for Mr. Whitfield as the Pro-slavery candidate; and I regarded Judge Flanigan as the Free-State candidate. I think there were some 41 or 42 votes polled that day, nearly all of which were given by persons who came from about the fort, and were the employees of the general government about the fort, and they came from the fort in government wagons, with flags flying with the motto of "Flanigan and Free-State." There were seven or eight of these wagons running back and forth all

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day. There were many about. Captain Lyon took an active part. He told me he was a stockholder in the town of Pawnee, and wanted me to take a part in it. I do not know of his voting at that election. Dr. Hammond was about, and was the surgeon at the fort. He was a stockholder in the town of Pawnee. He voted that day the Free-State ticket. Col. Montgomery was in command at that fort. He was also a stockholder in Pawnee—was president of the Pawnee Association. All the baggage-wagons that took the persons to the election from the fort were under his command. The men were drinking and hallooing; and when they got near the house where the election was held, the mules in one of the wagons ran off, and broke the wagon all to pieces, and hurt several of the men. Two of the judges of election belonged to the army; Mr. Lowe, the wagon-master, Mr. Mills, head carpenter, and Wilson, a sutler, were those appointed by Governor Reeder; but Wilson did not serve. Nearly all the men who came from the fort voted the Free-State ticket. Mr. Lowe, Mr. Mills, and Mr. Twombly served as judges; the two former belonging to the army. I objected in the morning to the men from the fort voting, or acting as judges of election, and they overruled me. Captain Lyon said I should not stay in the country unless I would go with them. I took it that they meant I must not oppose Pawnee, or having a free State, if I desired to stay in that part of the country; that was the general understanding there. They said Pawnee would be the seat of government. I spoke to Gov. Reeder to call a legislature, that we might petition to Congress for a seat of government; and I recommended that plan, and suppose it was the first cause of Pawnee being laid off; though when it was done, I had no part in it. I do not recollect what Reeder said about a seat of government at that time. He said he thought he could do what he wanted without the legislature. I had told him we wanted a seat of government, and some mail-routes established.

Cross-examined by Mr. Howard:

I voted in the evening of that day, after objecting to the election in the morning as illegal, because the judges of election were connected with the army. I had some hired men there, and some sons who were not there, but there were only some five or six legal votes on the ground that day. I did not consider those who came to the fort to work and not be settlers, as entitled to vote. The carpenter is at the fort yet, but never had any claim. I electioneered with some of the men from the fort to vote for Whitfield, and they generally said if they did they would be turned out of employment; but I think some of the men voted for Whitfield.

To Mr. Scott:

Governor Reeder was at the fort several days before the judges of election were appointed. I think he staid at Mr. Lowe's house while there.

THOMAS REYNOLDS.

LEAVENWORTH CITY, K. T., May 28, 1856.

C. R. MOBLEY called and sworn.

To Mr. Scott :

I resided, on the 29th of November, 1854, at Fort Riley. I was staying with Lieutenant Polk's mess.

I was at the election of the 29th of November, 1854. Mr. Wilson, Mr. Lowe, and Mr. Mills were appointed by Governor Reeder as judges of election ; but I was appointed by the other judges in place of Mr. Wilson, who declined.

General Whitfield was the Pro-slavery candidate, and Judge Flanigan the Free-State candidate at that election. Dr. Hammond, surgeon of the army at the fort, voted at that election the Free-State ticket. The employees of the government at the fort voted that day, and voted the Free-State ticket. I handed in the ballots, and they generally told what ticket they voted. There must have been three-fourths of the votes polled that day polled by the employees of the government, and not as settlers. There was a good deal of talk among them about claims, but I believe none of them had any claims. There were two men who stated that they were from St. Louis, but formerly from Ohio, who came the day before the election, voted there the Free-State ticket, and left the day after the election. The employees of the government went to the polls in government wagons. Colonel Montgomery was in command of the fort at that time, and he and Dr. Hammond said they were stockholders in the town of Pawnee at that time, as did Governor Reeder.

C. R. MOBLEY.

LEAVENWORTH CITY, K. T., *May* 28, 1856.

H. A. LOWE called and sworn.

To Mr. Scott :

I resided at Fort Riley on the 29th of November, 1854. I was employed by the government of the United States as wagon-master at the fort. Governor Reeder appointed me one of the judges of election on the 29th of November, 1854. I have no doubt Governor Reeder knew how I was situated at the fort, as he stopped at my house while he was at Fort Riley. Mr. Mills, the boss carpenter of the fort, and Mr. Robert Wilson, were the other judges appointed by the governor. Mr. Robert Wilson was sutler of the fort at that time. I have no doubt that Governor Reeder knew the positions occupied by all the judges at the time he appointed them. Mr. Wilson was at that time, as I understood, a stockholder in the town of Pawnee ; but Mr. Mills and myself were not, and we had no interest in any claims near Pawnee at that time. Mr. Whitfield and Mr. Flanigan were the candidates at that election—Whitfield the Pro-slavery, and Flanigan the Free-State candidate. There was no other question in issue at that election, that I know of. Quite a number of men from the fort and in government employ, but not soldiers, and not settlers in the Territory, were allowed to vote. I should judge about three-fourths,

perhaps more, of the votes given that day were given by government employees, and all, I think, voted for Flanigan, the Free-State candidate. They were not given to understand, so far as I know, that if they did not vote for Flanigan they would be turned out of employment. They went to the polls in conveyances belonging to the government. They were principally teamsters, some mechanics, who had permission to take the volarets and go down in them to the polls. Colonel Montgomery told me to let these men have these conveyances to go down to and return from the polls. He was commandant and acting quartermaster of the fort, and a stockholder in the town of Pawnee. I saw one flag on one of these wagons, with the motto of "Flanigan and a Free-State," which came down to the polls about the middle of the day. No officer of the army except Dr. Hammond, the surgeon, voted that day. He voted the Free-State ticket, after having sworn that he considered himself a citizen of the Territory, and that if he was ordered to leave the Territory with the army he would resign his commission. The judges thereupon considered him entitled to vote. He was a stockholder in the town of Pawnee.

H. A. LOWE.

LEAVENWORTH CITY, K. T., *May 28, 1856.*

H. MILES MOORE called and sworn.

I came into the Territory to reside in September, 1855, from west-mo-
ren Missouri, where I had resided for about five years, practising as
an attorney at law. I had resided in St. Louis a year previous to
that. I came over to Leavenworth City on the 29th of November,
1854, to attend the election for delegate to Congress. Arrangements
had been made throughout western Platte county, and western Mis-
souri generally, as I have been informed, for the purpose of going
over there and voting at that election. Messengers had been sent
from one portion of western Missouri to another, to notify. Meetings
had been held to make arrangements to come over here on that day
to vote. For a day or two previous, large numbers had passed
through Weston to the Territory, on horseback and in wagons, with
their forage and provisions, from the counties lower down on the
north side of the river—Clinton, Platte, and Clay counties. I saw
parties from each of these counties at the hotel; among them, men
whom I recognised. The companies raised about Weston and Platte
county were generally sent to the back portions of the Territory.
The lower counties sent men to the precincts near the border. I
came over myself with a large party from Weston and Platte county
to Leavenworth; a large crowd was present then on the ground. The
election was held at the Leavenworth hotel, kept by Keller & Kyle.
There was a great crowd around the polls all day. There was a good
deal of excitement, and some quarreling and fighting. I remained
there all day till nearly night. General Whitfield was the Pro-
slavery candidate; Judge Flanigan was the Free-State candidate.
All our party from Weston voted for Whitfield. I believe I voted

myself that day for General Whitfield, but I do not see my name on the poll-books. I should think there must have been from 150 to 200 Missourians who voted there that day. The other Missourians who came over said, after they returned, that they went to the 14th and 15th districts, and other districts farther back. I have carefully examined the poll-books in the 15th and 16th districts, and the two lists hereto attached, are the names of Missourians whom I know, and whose names I find on the poll-books as voting on the 29th of November, 1854, at the election held in those districts.

The following is a correct list of names of persons who resided in Missouri, and who voted at Leavenworth City, in Kansas Territory, at the election held for delegate to Congress at that place, in the sixteenth district, on the 29th day of November, 1854, as appears by a copy of the poll-books of said election herewith shown to me:

Garrett Todd, John Williams, John Donaldson, James L. Thompson, W. L. Murphy, William B. Simons, J. M. Guthrie, Robert Wear, Dougan Fouts, Pleasant Elington, Joseph C. Anderson, John Moore, Thompson Owens, James L. Hull, J. T. Woodward, Abner Dean, C. F. Bedon, Joseph Fouts.

The following is a list of names who voted as above, as appears from the poll-books of said election, on the 29th of November, 1854, at the house of Pascal Penconson, in the sixteenth district, said persons being residents of Missouri at that time: Jesse Morin, Ira Norris, W. H. Miller, Hugh McRowen, John Miller, G. H. Layton, S. Johnson, Samuel Dixon, Isaac Hense, Leonidas Oldham, J. B. Michell, James Henderson, Henry Debaud, A. R. Oldham, J. L. Jenks, Samuel Sapp, Levi Beechen, N. L. Towasen, J. H. Thompson, James Sweeney, R. F. Duncan, Oscar Bywaters, Thomas L. Douglass, E. C. Mason, John Bryant, Robert Ely, C. B. Hodges, William Young, William Dryman, John A. G. Fisher, N. R. Greene, Colonel L. Burnes, Craven Colvert, Samuel M. Bowman, N. B. Laman, Benjamin Yokam, Allen Pullen, J. M. Mulkey, John Cook, James Bolton, Z. J. Thompson, Levi Bowman, William Fulton, G. M. Quimby, J. B. Crain, Job Robins, Alfred Allen, Jonathan Lacey, James L. Reisenger, J. D. Pepper, S. H. Oliphant, Samuel Pepper, Warner Blanton, Jacob Metice, Phineas Skinner, James A. Burnes, Nathan Nuby, George Kitchen, Asa Vanlandingham, Henry Adams, E. S. Staggs, Judge H. B. Almond.

There were a great many names on the poll-books that I do not think were residents of the sixteenth district; but I do not know where they were from. I do not know the names of those from the lower counties, as a general thing, and they came mostly to the border precincts. Since I have moved into the county of Leavenworth, I have become acquainted with a majority of the residents here. The men who voted for Judge Flanigan had no chance to get to the polls easily, as the mob about the polls kept them away. If a man hurried for General Whitfield, he would get to the polls easily. Mr. Coates, now of Kansas City, was standing near the polls, and expressed his disapprobation of the way affairs were going on, and the mob immediately drove him away, threatening him very severely. While the voting was going on, the window where votes were taken

was broken in by stones being thrown at it. After we got through voting, and the polls were closed, we returned to Weston, Missouri, as we came, in wagons and on horseback.

H. MILES MOORE.

LEAVENWORTH CITY, K. T., *May 29, 1856.*

WM. G. MATHIAS called and sworn.

To Mr. Scott:

I came to Kansas Territory, and landed at Leavenworth City, on the 23d day of November, 1854, from Maryland; and I was present at the election of the 29th of November, 1854, at Leavenworth City. Not having been in the Territory a great while, I did not know many people, or where they were from; but I saw a great many faces that day that I have since recognised as citizens of that county. J. W. Whitfield, pro-slavery, and Judge Flanigan, free-State, were the candidates that day. The voting had commenced when I got to the polls. There was a considerable crowd about the window, which on that account was somewhat difficult of approach. This difficulty was experienced by persons of both parties. My position was known by men of both sides, and I attempted two or three times to get to the window, and was crowded back. Malcolm Clark, and two others, were appointed to assist persons to get to the window; and even then it was difficult. I had made my position known, in a discussion in the street that morning, and I suppose almost every one on the ground knew that I was a Whitfield man. I saw a few men, of both parties, with side-arms—not many, however; and went to the election with some six or seven friends of Flanigan, who all had pistols and bowie-knives; but I did not have any myself. At the election I saw no unusual disturbance. I saw no attempt to hinder any one from voting, whether pro-slavery or free-State. The tickets were of different colors, so that all the votes given could be designated, and I suppose the crowd were standing around the window to count the votes given in, and thus see who was ahead. I was introduced to Judge Flanigan that day. He was boarding at Parson Kerr's, at the fort. I do not think I ever saw him after the day of election. Shortly after the day of election I went myself to board at Parson Kerr's, and Flanigan had left.

WILLIAM G. MATHIAS.

WESTPORT, MISSOURI, *June 6, 1856.*

December 4, 1854.—The judges of the several election districts made return of the votes polled at the election held on the 29th day of November last for delegate to the House of Representatives of the United States, from which it appears that the votes in the said several districts were as follows, viz:

Districts.	J. W. Whitfield received	J. A. Wakefield received	R. P. Flanniken received	John B. Chap- man received	Chas. Robinson received	S. C. Pomeroy received	P. Blood received	W. L. Garrison received
First	46	188	51	9	2	2	1	1
Second	235	20	6					
Third	40		7	1				
Fourth	140	21						
Fifth	63	4	15					
Sixth	105							
Seventh	597		7					
Eighth	16							
Ninth	9		31					
Tenth	2	6	29					
Eleventh	237		3	5				
Twelfth	31	9		1				
Thirteenth	69		1					
Fourteenth	130		23					
Fifteenth	27		39					
Sixteenth	232		80					
Seventeenth	49		13					
Total	2,258	248	303	16	2	2	1	1

December 5, 1854.—On examining and collating the returns, J. W. Whitfield is declared by the governor to be duly elected delegate to the House of Representatives of the United States, and on the same day a certificate of the governor, under the seal of the Territory, issued to said J. W. Whitfield of his election.

FIRST DISTRICT.

List of voters at Lawrence, November 29, 1854.

1 Stafford J. Pratt	9 Hamsin Williams
2 John N. Mace	10 Calvin H. Survin
3 Theodore J. Wells	11 Edward P. Fitch
4 Joseph Savage	12 Otis H. Lamb
5 John Bruce, jr.	13 Tilly Gilbert
6 H. C. Safford	14 Orin C. Nichols
7 Luke P. Lincoln	15 De Witt C. Barrett
8 John Levy	16 John W. Carlton

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|-------------------------|------------------------|
| 17 Horace A. Hancock | 68 Joshua A. Pike |
| 18 David C. Buffam | 69 Sidney B. Dudley |
| 19 Robert Buffam | 70 Horatio N. Bent |
| 20 Ferdinand Fuller | 71 William Woniken |
| 21 John F. Wilson | 72 George W. Reed |
| 22 James H. Gleason | 73 Freeman R. Foster |
| 23 Robert L. Mitchell | 74 John Armstrong |
| 24 John C. Gordon | 75 David Purinton |
| 25 Joseph McKnight | 76 Frederick Kimball |
| 26 Albert D. Searl | 77 John H. Lyon |
| 27 James Tegart | 78 David Condit |
| 28 Hugh Cameron | 79 Leonard G. Higgins |
| 29 Carnie W. Babcock | 80 George Tilton |
| 30 Joseph W. Russell | 81 David B. Leifkin |
| 31 Ellis Bond | 82 Albert Alverson |
| 32 Samuel N. Wood | 83 Philip Cook |
| 33 Ayro Hazen | 84 Ansin H. Mallory |
| 34 George F. Earl | 85 Stillman Andrews |
| 35 William Evans | 86 John Collins |
| 36 George W. Partridge | 87 Hugh Pettingal |
| 37 Samuel Kimball | 88 Amos Finch |
| 38 James F. Meriam | 89 George W. Chapin |
| 39 William B. Lee | 90 John Wilson |
| 40 Edward Clark | 91 Charles Blunt |
| 41 Oliver A. Hauscom | 92 Samuel Merrill |
| 42 Erastus D. Ladd | 93 James A. Corlew |
| 43 Lyman D. Hubbard | 94 Robert J. Wolf |
| 44 Joseph Cracklin | 95 George Levy |
| 45 John H. Dean | 96 James Whitlock |
| 46 Rufus H. Waleman | 97 Daniel P. Hadley |
| 47 Bryce W. Miller | 98 Michael Albin |
| 48 Samuel N. Simpson | 99 Jonathan F. Taber |
| 49 Brainerd B. Track | 100 Joseph Eberhart |
| 50 John Hubbinson | 101 William A. Gentry |
| 51 Ira W. Ackly | 102 Alfred V. Coffin |
| 52 James B. Abbott | 103 Henry S. Eberhart |
| 53 Daniel Lowe | 104 Lewis J. Eberhardt |
| 54 Samuel E. Martin | 105 Edwin Bond |
| 55 Lewis L. Litchfield | 106 Jacob Etront |
| 56 John Frye | 107 Wilder Knight |
| 57 Josiah Miller | 108 Luke Corlew |
| 58 Robert G. Elliot | 109 Fields Bledsoe |
| 59 Bernard M. Partridge | 110 Josiah Hutchison |
| 60 William Ricker | 111 John Pearson |
| 61 Jonathan M. Burleigh | 112 Washington Brians |
| 62 John Mack | 113 Carless Day |
| 63 William H. Hovey | 114 Enoch Reed |
| 64 Robert Hooton | 115 John H. Doty |
| 65 Josiah G. Fuller | 116 Daniel Sayre |
| 66 Orville D. Smith | 117 John Pieratt |
| 67 Joshua Thaxter | 118 Frederick W. King |

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|-------------------------|--------------------------|
| 119 Lewis Howe | 170 Solomon Wildis |
| 120 Thomas C. Still | 171 Robert Wilkinson |
| 121 James M. Still | 172 W. Turner |
| 122 Orin Pettingall | 173 James Turner |
| 123 Solomon Lapham | 174 W. M. Davis |
| 124 Henry W. Feck | 175 Robert Allen |
| 125 Saphi H. Talsom | 176 H. Clarke |
| 126 Jesse Whitrow | 177 Absalom W. White |
| 127 Josiah M. Reed | 178 Clarkson M. Wallace |
| 128 Henry T. Root | 179 Joel K. Godin |
| 129 Jacob Shidoler | 180 James Williams |
| 130 M. Soiley | 181 Alfred Payne |
| 131 A. Still | 182 S. J. Willis |
| 132 T. Roach | 183 John C. Archabl |
| 133 John Renell | 184 Forester Hill |
| 134 M. D. Johnson | 185 Daniel H. Brooks |
| 135 Robert McFarland | 186 Charles Jorden |
| 136 John McFarland | 187 T. J. Stone |
| 137 Sylvester H. Davis | 188 Ligon S. Bacon |
| 138 John A. Lowry | 189 Silas K. Holliday |
| 139 John C. Davidson | 190 E. Dizleo |
| 140 Chester C. Grout | 191 Nathan F. Herrick |
| 141 Henry Bronson | 192 Henry D. Graves |
| 142 N. Heneck | 193 William C. Gibbons |
| 143 L. Kibbey | 194 Thomas Henry |
| 144 T. G. Muvy | 195 Clark Telft |
| 145 L. N. Dailey | 196 Edwin S. Dexter |
| 146 N. B. Blouton | 197 Samuel Corner |
| 147 Henry Davis | 198 Samuel S. Snyder |
| 148 Robert A. Cumming | 199 William Hale |
| 149 Charles A. Gray | 200 John H. Miller |
| 150 Enoch Houland | 201 Solomon G. Durkee |
| 151 James D. Pooge | 202 Thomas Overfield, 2d |
| 152 Alexander Sebastian | 203 James Reed |
| 153 Ely B. Purdom | 204 Joseph Lovelace |
| 154 Marshall Miller | 205 William Fegunson |
| 155 Abel F. Hutull | 206 Jonathan F. Morgan |
| 156 Henry G. Young | 207 George W. Kent |
| 157 John C. Mopmon | 208 John Dog |
| 158 Frederick Roff | 209 Jared Carter |
| 159 Andrew White | 210 James Blood |
| 160 Noah Cameron | 211 Willard Colbourn |
| 161 Robert Hughes | 212 Sidney J. Case |
| 162 L. Farly | 213 John L. Crane |
| 163 James I. Stephens | 214 Francis O. Tollis |
| 164 David Eldridge | 215 Justin Lewis |
| 165 Clark Crone | 216 Charles W. Dow |
| 166 John Morehead | 217 William Lyon |
| 167 Isaac Shoop | 218 Albert T. Bercaw |
| 168 Samuel N. Shortwell | 219 James S. Cowan |
| 169 Benjamin Johnson | 220 Jordan Neil |

221	Isom Taylor	262	Joseph R. Tewksbury
222	Achilles Smith	263	Francis Barker
223	William Kitchingham	264	William Corel
224	Hiram C. Covill	265	Levi Gates
225	Chalmers J. Roberts	266	Jackson Sellers
226	Harris Stratton	267	George E. Holt
227	Silas Wayne	268	Edward Winslow
228	John H. Turman	269	Samuel Kennedy
229	Clark Stearns	270	Theo. E. Benjamin
230	Martin Adams	271	Harrison Nichols
231	James A. Davidson	272	Asaph Allen
232	Thomas J. Ferril	273	James M. Steele
233	Achilles B. Waide	274	George L. Osborne
234	Edward B. Johnson	275	William Yales
235	Job Van Winkle	276	William Matthews
236	Granville O. Mitchell	277	Jonathan ———
237	Joseph D. Barnes	278	Charles Robinson
238	George Strobridge	279	Franklin Haskell
239	Moses Taylor	280	James S. Griffin
240	Carles Hall	281	Samuel J. Johnson
241	John A. Shafer	282	John Hopper
242	Josiah H. Pillsbury	283	William Lykins
243	Simon Hopper	284	Franklin Hopper
244	John H. Wilder	285	Van Rensselaer Morse
245	Charles W. Persall	286	James Correll
246	Napoleon D. Short	287	David R. Hopper
247	Samuel Y. Lune	288	John Anderson
248	Charles P. Turnsworth	289	Horner Hayes
249	Edward Jones	290	Ransom Calkin
250	Elmore Allen	291	Caleb S. Pratt
251	Stephen Ogden	292	Jeremiah Spencer
252	Norman Allen	293	Joel Grover
253	Levi Ferguson	294	John Mailey
254	William N. Baldwin	295	Thomas R. Wells
255	John N. Ladd	296	Charles Stearns
256	Calvin G. Hoyt	297	Samuel F. Tappan
257	Henry T. Saunders	298	Ephraim H. Dennott
258	John Baldwin	299	Joshua Smith
259	Samuel C. Harrington	300	James S. Emery
260	John Ogden	301	Jerome B. Taft
261	C. Howard Carpenter		

SECOND DISTRICT.

Poll-book, Douglas City.

1	William H. Russell	4	C. R. Barnes
2	H. B. Lacy	5	G. L. Potts
3	W. H. Hymer	6	R. C. Ewing

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|----------------------|---------------------|
| 7 J. J. Peart | 58 J. V. Webb |
| 8 C. B. Pearson | 59 J. West |
| 9 J. M. Weff | 60 C. F. Dunkin |
| 10 J. F. Stoneshut | 61 J. H. Pitts |
| 11 W. H. Trigg | 62 J. Michalson |
| 12 R. Crump | 63 L. C. Haggard |
| 13 Job Phillips | 64 J. Landis |
| 14 W. R. Howard | 65 H. C. Foreman |
| 15 H. C. Koon | 66 G. W. Walker |
| 16 Upton Hays | 67 C. Smith |
| 17 W. S. Wills | 68 H. L. Simpson |
| 18 Simon Moon | 69 M. J. Codin |
| 19 J. R. Durritt | 70 T. M. Brooks |
| 20 W. H. Beddoe | 71 A. Hays |
| 21 S. Hays | 72 J. A. Price |
| 22 T. A. Smart | 73 J. Showalter |
| 23 D. J. Penn | 74 C. J. Mericks |
| 24 M. Beagle | 75 J. H. Gaines |
| 25 J. Kirby | 76 R. J. Pongon |
| 26 J. S. Warren | 77 J. T. Wright |
| 27 P. D. Elkins | 78 L. J. Adkins |
| 28 J. W. Brooks | 79 F. J. Huffiger |
| 29 W. G. Wickerson | 80 J. F. Hawkins |
| 30 W. B. B. Brown | 81 J. D. Kinkade |
| 31 W. F. Griner | 82 J. Dillard |
| 32 J. Hornbuckle | 83 J. H. Wells |
| 33 N. B. Thoors | 84 J. S. Huff |
| 34 H. H. Ratliffe | 85 W. P. Boiler |
| 35 William Proctor | 86 M. S. Winn |
| 36 J. F. Berry | 87 L. J. Winchester |
| 37 S. M. Duncan | 88 J. G. Adkins |
| 38 William Rice | 89 J. W. Self |
| 39 F. J. Drumond | 90 O. Smith |
| 40 E. W. Holbut | 91 L. F. Robinson |
| 41 E. H. McClunnahan | 92 L. Adams |
| 42 J. L. Hoffman | 93 J. D. Lahay |
| 43 D. Anderson | 94 W. H. Scroggs |
| 44 R. S. Atkins | 95 D. J. Cunningham |
| 45 B. B. Potts | 96 J. Morgan |
| 46 J. P. Hardy | 97 F. Hatton |
| 47 W. Thatcher | 98 J. M. Ragan |
| 48 J. A. Barton | 99 D. Peters |
| 49 S. C. Coombs | 100 F. J. Staples |
| 50 W. F. Berry | 101 H. J. Higgins |
| 51 J. H. Mosely | 102 W. B. Mitchell |
| 52 R. White | 103 B. T. Brown |
| 53 A. O. Bangs | 104 E. Waller |
| 54 B. J. Taylor | 105 S. D. Hogar |
| 55 R. S. Lorian | 106 E. Dickerson |
| 56 B. F. Sillary | 107 B. F. Thompson |
| 57 M. L. Crustoe | 108 E. T. Crumer |

109 J. Hockroday	160 A. Holyclaw
110 E. S. Cramer	161 S. Crowait
111 C. J. White	162 J. F. Burton
112 A. J. McCunnahan	163 J. W. Carman
113 L. A. Talbot	164 J. F. Mills
114 W. J. Burnett	165 G. F. Hughes
115 W. Wirt	166 F. Myres
116 G. W. Hall	167 H. A. Hunter
117 H. R. Henshaw	168 G. W. Clark
118 A. Collins	169 J. Emmons
119 J. R. Burnett	170 J. Ecton
120 J. Mason	171 A. Crompton
121 Wm. Leggett	172 Levi Owen
122 S. Tilden	173 D. Maloney
123 J. Perley	174 J. B. Nichols
124 Wm. Nichols	175 G. Swalsoner
125 J. F. Neill	176 J. B. Crandle
126 H. Morton	177 A. Kinkade
127 W. W. Johnson	178 B. T. Risor
128 J. P. Bird	179 W. B. Evans
129 D. W. Mauley	180 J. S. Campbell
130 J. Ring	181 J. C. Evans
131 J. W. Furrirt	182 W. D. Dickey
132 J. M. Dunn	183 C. Adams
133 E. M. Walbert	184 S. Tyler
134 L. L. Bennett	185 Wm. Campbell
135 F. R. Long	186 W. R. Thompson
136 P. P. Lafarm	187 Hardy Willis
137 S. McGaughey	188 V. Thompkins
138 F. McMannetry	189 T. Simmon
139 J. F. McLean	190 J. W. Chamberlin
140 J. A. Winn	191 Wm. N. Simmons
141 S. H. Woodron	192 A. Rickton
142 J. Parsons	193 J. B. Forman
143 J. C. Coons	194 Jas. M. Dunn
144 J. Anderson	195 R. W. Custwood
145 J. Breton	196 Thos. Shaw
146 N. L. Davis	197 F. Bushford
147 G. H. Holbert	198 Aug. Smith
148 A. B. H. McGee	199 John Scott
149 G. W. Ellis	200 C. C. Kummey
150 R. H. Hix	201 John Snyder
151 W. H. Kerr	202 Thos. Scott
152 F. E. Lahey	203 David Simpson
153 B. H. Holyclaw	204 G. H. Snyder
154 J. C. Bethicord	205 B. Callahan
155 D. Trigg	206 J. T. Brady
156 T. A. Ogden	207 L. P. Wills
157 T. J. Smith	208 H. S. McClemnar
158 Wm. M. Strait	209 N. Lydor
159 W. R. Boggs	210 W. A. May

211 James C. Ranson	237 B. Fendget
212 T. J. Lockridge	238 W. C. Beatie
213 Wm. Justin	239 Nath. Ramsey
214 J. A. Smith	240 H. Benson
215 J. A. Wakefield	241 W. D. Hall
216 H. C. Addison	242 E. Bell
217 H. Alderman	243 O. Sprodling
218 J. H. Murphy	244 A. Hendricks
219 W. A. Hord	245 Samuel Jones
220 C. W. Smith	246 R. Duke
221 H. C. Muzzy	247 J. Jones
222 Thos. H. Hensley	248 T. Lahay
223 H. J. Noland	249 J. W. Hendricks
224 Jas. Shaw	250 Wm. Kelley
225 T. A. Bailey	251 F. H. Hendricks
226 Geo. Biddle	452 Thos. Bond
227 Jas. W. Hix	253 M. Grant
228 H. H. Connor	254 Wm. Limmerick
229 " " fi	255 W. W. Withers
230 L. Barnett	256 Geo. W. Ward
231 Wm. Luckett	257 P. Ellison
232 C. Shoon	258 J. T. Cramm
233 Geo. Davis	259 E. Connor
234 Wm. Warren	260 J. Cathor
235 Jas. H. Mason	261 J. Vance
236 J. Lidibottom	

THIRD DISTRICT.

List of voters in the third district.

1 George Holmes	20 John Andrew Jackson
2 Thomas C. Shoemaker	21 James Wiseman
3 Thos. N. Stensen	22 Horatio Cox
4 J. W. Hays	23 John Salivy
5 G. M. Holloway	24 Jeremiah Preston
6 Zephaniah Plummer	25 D. L. Crysdale
7 David Copeland	26 Robert H. Matthews
8 J. T. Swatzell	27 Charles Boughshea
9 W. A. Sublete	28 William Matingley
10 John Homer	29 Noble Barron
11 L. B. Slateler	30 A. G. Brown
12 H. N. Watts	31 F. A. Wentworth
13 William E. Collins	32 Jesse Michiner
14 James M. Herron	33 Preston Huffaker
15 M. J. Mitchel	34 Will. D. Owens
16 W. Vaughan	35 Stephen Scott
17 Anthony Ward	36 James M. Small
18 J. R. Warren	37 Hiram Dawson
19 James M'Connell	38 Francis Grassmuck

39 D. Updegraff	44 James N. Steward
40 Thomas Handlin	45 Charles Jordan
41 L. D. Chilson	46 Osborne Nailor
42 Jeremiah Miccum,	47 Alfred T. Byler
43 J. Tyler	48 A. D. M. Hand

FOURTH DISTRICT.

List of votes given at an election held at the house of Dr. Jerrod Chapman, in the fourth district, Kansas Territory, on the 29th day of November, A. D. 1854.

1 Dr. J. Chapman	38 W. H. Russell
2 J. T. Kriser	39 T. D. Cooper
3 Charles White	40 Will. Grant
4 Wm. P. Hubbel	41 John Garrett
5 T. R. Rule	42 R. R. Ball
6 James Price	43 S. S. Bartleson
7 W. H. Liguau	44 Charles Rover
8 Evan Hall	45 H. C. Brooking
9 G. W. Withers	46 W. Hampton
10 S. S. McKinney	47 C. A. Moon
11 G. W. Allen	48 L. S. Brandon
12 L. Kerr	49 R. M. Williams
13 B. C. Moore	50 G. D. Skidmore
14 G. H. McNiel	51 G. W. Hilton
15 R. Hill	52 H. P. Muire
16 James Morrison	53 J. T. Bartleson
17 H. T. Chils	54 Richard McCamish
18 A. B. Smith	55 W. B. Coats
19 Otho Hall	56 T. J. Brown
20 J. W. Mamron	57 W. T. During
21 J. A. Finley	58 L. M. Dehoney
22 J. P. Withers	59 Jesse Davis
23 John Price	60 W. C. Thruston
24 M. Simons	61 A. D. Harper
25 R. P. Wood	62 R. H. Thominson
26 J. Campbell	63 W. A. David
27 S. P. S. Sitroll	64 A. Crouse
28 Wm. Hull	65 Joseph Bradbury
29 John Seudder	66 G. Simons
30 W. T. Stewart	67 H. Lowery
31 John Neil	68 C. R. Schull
32 James Gray	69 E. Lamples
33 J. M. Reynolds	70 D. G. Cameron
34 Thomas Chandler	71 James Croker
35 G. W. Shoemaker	72 Thomas Turmun
36 J. S. Dawson	73 O. H. Ripators
37 G. Harper	74 J. Lipscomb

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|-----------------------|------------------------|
| 75 W. M. McKinney | 119 R. B. Young |
| 76 L. West | 120 J. B. Davis |
| 77 J. Syme | 121 J. H. Lockridge |
| 78 J. R. McKinney | 122 A. Hanner |
| 79 F. McKinney | 123 Wm. A. Durfnee |
| 80 N. M. Breman | 124 J. H. McMurray |
| 81 Wm. Grase | 125 Richard Benny |
| 82 F. C. Samerland | 126 Samuel Garrett |
| 83 Champ. Mayfield | 127 E. Bolwurr |
| 84 Judge Bernard | 128 E. J. Curley |
| 85 Thomas Mockaby | 129 Cyrus C. Miller |
| 86 A. F. Powell | 130 Samuel E. Thompson |
| 87 John Eidy | 131 R. J. Scott |
| 88 H. Owens | 132 J. Massir |
| 89 S. E. Carpenter | 133 J. P. Barnaby |
| 90 Zach. Johnson | 134 R. M. Stish |
| 91 Thomas Pemberton | 135 John Carin |
| 92 J. H. McNutt | 136 W. S. Ewertt |
| 93 H. Kurtz | 137 O. Ranol |
| 94 J. S. Wood | 138 Wm. Moore |
| 95 W. H. Chase | 139 E. Moore |
| 96 R. S. Nowland | 140 S. H. Moore |
| 97 J. B. Townsend | 141 D. Hendricks |
| 98 J. B. West | 142 Perry Fuller |
| 99 Joel Scott | 143 Charles Clarke |
| 100 J. A. Morill | 144 Thomas Dotry |
| 101 B. Saffington | 145 Geo. Panius |
| 102 F. M. Saffington | 146 Samuel Nukmon |
| 103 S. A. H. Townsend | 147 John Goreus |
| 104 D. B. Wood | 148 F. Barnes |
| 105 O. Thompson | 149 R. Watney |
| 106 A. J. Miller | 150 Isaac Watney |
| 107 J. J. Herrin | 151 D. P. Kuzer |
| 108 A. B. Gillilkand | 152 Samuel M. Whenug |
| 109 J. W. Wood | 153 G. R. Johnson |
| 110 P. Basinger | 154 John Scarce |
| 111 E. H. Basinger | 155 A. D. Dale |
| 112 E. Hill | 156 W. G. Luckett |
| 113 J. M. Banks | 157 Miller Essex |
| 114 Joseph Johnston | 158 Robert Talley |
| 115 B. J. Bowers | 159 David Luttz |
| 116 J. Cummings | 160 Thomas Teach |
| 117 Samuel Bradberry | 161 Thomas McIntire |
| 118 R. Hackett | |

FIFTH DISTRICT.

A list of the names of voters who voted at the fifth district in Kansas Territory, on the 29th day of November, 1854, for delegate to Congress.

1 John C. Northcut	42 Calvin Randall
2 W. P. Shonke	43 Hiram Thorps
3 Jonas R. Ketmore	44 Ammon Gotce
4 H. C. Hamilton	45 J. Armstrong
5 S. Groff	46 M. Marshall
6 S. G. Shields	47 O. T. Cleaveland
7 B. B. Brone	48 John Kenton
8 A. S. Davenport	49 Francis Gokie
9 W. King	50 John Vanhorn
10 G. W. Smith	51 R. N. Kensey
11 E. Smith	52 S. M. Hay
12 S. Regen	53 Adam Case
13 G. W. Kemper	54 J. H. Wisler
14 Stephen Derenport	55 R. Kirby
15 Joseph Merrett	56 T. R. Harris
16 S. O. Mure	57 Albert Woodfin
17 Edward McPherson	58 S. W. Frogg
18 Lot Coffman	59 G. T. Terris
19 Morgan Gill	60 M. Crowcutte
20 Samuel Wade	61 John Scuple
21 W. N. Young	62 W. Chessnut
22 T. M. Poundexder	63 John Rose
23 William Muer	64 Thomas Joal
24 W. T. Monro	65 J. D. Swift
25 W. S. Gregory	66 O. C. Brown
26 Stephen Abstem	67 F. Jones
27 Cornelius Canine	68 W. C. Childers
28 Henderson Rice	69 David Lockens
29 Allen Wilkinson	70 W. N. Haskel
30 S. M. Ramond	71 W. C. Kink
31 N. W. Mooney	72 R. W. Sturgeon
32 J. S. Weightman	73 D. West
33 J. M. Gearheart	74 P. J. Potts
34 H. Steinfort	75 W. H. Fenley
35 T. S. Cicom	76 T. McCoy
36 H. T. Wiman	77 B. P. Campbell
37 Jerome Cone	78 T. Totten (oath)
38 R. Callin	79 W. W. Tacket
39 J. W. Wilson	80 J. Polk
40 Tobias Heath	81 R. Goulding
41 H. G. Randall	82 J. Buflington

SIXTH DISTRICT.

1 John Coyle	49 John W. Denton
2 P. D. Cummings	50 C. F. Moherlay
3 Robert M. Esslinger	51 Thomas Cumins
4 Thomas D. Page	52 T. S. Pearson
5 Isaac N. Mills	53 Jesse Copeland
6 B. F. Wilkerson	54 W. L. Hants
7 James W. Arnott	55 G. H. McDaniel
8 Jacob Miller	56 William Painter
9 William A. Randolph	57 William G. Ingram
10 Elihu Fox	58 G. W. Cluck
11 Jefferson Copeland	59 Mathew Sellart
12 F. Hord	60 Francis York
13 G. A. Wade	61 Jacob Simons
14 John F. Detchemorn	62 John A. McCoy
15 William Ray	63 Thomas B. Arnott
16 John R. Taggart	64 James McHenry
17 G. W. Wonkay	65 William Givens
18 George Stern	66 Thomas McMillan
19 R. A. Brown	67 J. F. Brookhart
20 W. H. Palmer	68 T. J. Goodman
21 J. J. January	69 Harrison Ashley
22 E. B. Cook	70 T. E. Owen
23 H. D. Palmer	71 J. W. Parkinton
24 George W. Simonds	72 J. H. Crackett
25 J. H. Prince	73 J. W. Sharp
26 John January, sr.	74 W. G. Watkins
27 F. Dewint	75 Thomas Jacob
28 William R. Wilmott	76 A. J. Strumbaugh
29 John C. Hearne	77 B. F. Hill
30 William Vermillion	78 R. T. Lindsay
31 James Ray	79 William Dunlapp
32 James T. Ray	80 Thomas Cummings
33 Elisha McKinney	81 E. C. Haskill
34 John January, jr.	82 Jacob Fudge
35 Jesse Ray	83 Alfred Pyhee
36 Spencer H. Ray	84 W. W. Salmon
37 Samuel Beaver	85 G. D. Hansbrough
38 B. F. Coffey	86 Thomas Watkins
39 J. B. Fleming	87 George F. Royston
40 William Robinson	88 W. A. Thompson
41 Alexander Green	89 H. T. Wilson
42 John Thonton	90 William Barbee
43 Mathew Kirk	91 William Musgrave
44 Andrew Kirk	92 A. B. Sloan
45 David P. Fleming	93 William Cass
46 William Irvin	94 William R. Morgan
47 W. T. Poston	95 J. S. Mitchell
48 W. Auston	96 Richard Beck

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97 John Brown	102 Henry Vaskel
98 George Mosier	103 John S. Rodgers
99 William W. S. Burch	104 Jeremiah Penack
100 Enos Willson	105 Joseph Bollinger
101 R. L. Y. Peyton	

SEVENTH DISTRICT.

List of voters in the seventh district at an election for delegate to Congress, held on the 29th day of November, 1854.

1 James L. Ball	39 R. J. Austin
2 Geo. F. Asberry	40 J. R. Warder
3 W. W. Amos	41 J. Fries
4 S. W. Asberry	42 J. W. Lawrence
5 P. D. Barker	43 S. R. Buckle
6 R. B. Smith	44 N. Colson
7 J. R. Anderson	45 P. T. Iroine
8 R. Flurnoy	46 W. H. Fox
9 J. S. Glass	47 F. S. Robertson
10 F. F. Sheperd	48 W. B. Major
11 Thos. Cermwell	49 E. L. Hord
12 A. W. Ervin	50 L. M. Major
13 John G. Agen	51 R. M. Hudpeth
14 John Passock	52 James Martin
15 O. Bound	53 M. King
16 T. Rogers	54 A. M. Duham
17 J. O. Washburn	55 J. C. McHatten
18 R. Simson	56 M. L. Clarkson
19 A. F. Brown	57 J. Willis
20 J. G. Webb	58 R. E. McDaniel
21 G. W. Smith	59 J. S. Roberson
22 J. D. Hinson	60 J. H. Stevenson
23 Chas. Whiting	61 L. B. Harwood
24 E. J. Brown	62 W. Robertson
25 John B. Bainbridge	63 L. L. Washburne
26 J. M. Boswell	64 W. D. Huffman
27 Chas. P. Boudarant	65 R. J. Hendrick
28 A. L. Toles	66 W. J. Peak
29 John J. Ingram	67 J. F. Ray
30 C. C. Chiles	68 W. O. Shouse
31 J. S. Hamilton	69 I. J. Jones
32 E. T. Douglas	70 S. G. Calron
33 S. J. Fitzgerald	71 Wm. Lauderdale
34 M. Ewing	72 R. L. Bell
35 J. D. Edwards	73 J. M. Carter
36 G. W. McGowan	74 E. R. Barnett
37 G. A. Baker	75 R. D. Harris
38 W. O. Clarkson	76 W. F. Burns

77 J. Marland	128 W. W. Porter
78 G. W. Baker	129 M. Whitaker
79 J. H. Douglas	130 John McFadin, jr.
80 J. Roberson	131 J. M. McGirk
81 E. Booton	132 I. James
82 S. W. Hamilton	133 W. Buker
83 A. G. Steele	134 J. R. Dillard
84 T. C. Doggins	135 J. A. Elware
85 S. W. Banton	136 A. C. Stone
86 J. M. Grigsby	137 J. W. H. Patton
87 J. H. Sanders	138 B. F. Harris
88 H. Bright	139 J. Johnson
89 J. R. Brown	140 J. Dillard
90 F. F. Renich	141 R. Ken
91 S. W. Wheler	142 L. H. Merdick
92 J. K. Garnett	143 J. A. Mahan
93 J. H. Brown	144 D. J. Falton
94 W. M. Aiken	145 J. R. Page
95 J. Trowside	146 J. Gant
96 A. Street	147 J. Graves
97 W. R. Bernard	148 J. Mann
98 H. B. Elliott	149 L. N. Ross
99 R. W. Land	150 S. Justice
100 J. S. Jones	151 J. Dolarsen
101 D. Vanmeter	152 H. L. Trundle
102 G. B. Warfield	153 J. Dowty
103 W. H. Day	154 A. Varren
104 J. H. Clark	155 J. H. Brown
105 J. W. Brown	156 E. Price
106 W. Jones	157 J. R. Warren
107 W. Boatright	158 H. Whaley
108 J. Sinclair	159 J. Hogan
109 G. Gillespie	160 J. A. Jackson
110 J. Ivins	161 J. T. Hinton
111 L. M. Alexander	162 C. Dear
112 B. M. Lanford	163 R. G. Smart
113 D. Cornill	164 E. V. White
114 C. E. Strou	165 J. M. Major
115 W. S. Booker	166 J. T. Major
116 J. O. Bell	167 I. J. Major
117 J. M. Brown	168 J. W. Finley
118 L. O. Mason	169 D. A. Muir
119 J. H. Fish	170 W. Givens
120 J. Marshal	171 J. Pearson
121 J. R. Belts	172 G. E. Bellis
122 D. F. Greenwood	173 J. Coles
123 J. F. Parker	174 J. O. Talbott
124 J. F. Bledsoe	175 T. Windsor
125 C. Harris	176 J. S. Percival
126 J. Elley	177 A. R. Jacobs
127 G. W. Foster	178 A. B. Patterson

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| 179 G. W. Muir | 230 A. M. Jones |
| 180 W. M. Hutchinson | 231 J. Richerson |
| 181 W. D. Kelly | 232 N. Mangall |
| 182 R. E. Simmons. | 233 J. Lewis |
| 183 J. Flurney | 234 T. Crabtree |
| 184 R. C. Simpson | 235 F. M. McGee |
| 185 D. J. Waters | 236 C. B. Griffin |
| 186 G. H. Gordon | 237 J. W. French |
| 187 S. G. Campbell | 238 J. Clatham |
| 188 T. J. Ford | 239 W. L. Ballard |
| 189 C. J. Kentley | 240 P. Woods |
| 190 W. L. Janny | 241 W. Smith |
| 191 W. Noland | 242 W. Lencaray |
| 192 D. Burge | 243 E. W. Shumacher |
| 193 S. Hill | 244 H. Hanberson |
| 194 H. C. Belles | 245 N. Hinell |
| 195 J. H. Crooks | 246 G. W. Hinell |
| 196 J. B. Shaw | 247 J. C. Anderson |
| 197 F. C. Varrion | 248 F. P. McGee |
| 198 G. Lewis | 249 S. Ralston |
| 199 B. M. Noland | 250 J. W. Watts |
| 200 J. Hicklin | 251 W. M. Bowring |
| 201 W. M. Bradford | 252 C. Jinks |
| 202 J. Hincle | 253 P. Wolf |
| 203 D. B. McGirk | 254 J. H. McGee |
| 204 W. Hall | 255 C. A. Linkenanger |
| 205 W. F. Dowden | 256 J. Shotwell |
| 206 S. Kenich | 257 William Parrish |
| 207 J. West | 258 L. Steele |
| 208 J. M. Fleming | 259 G. W. Berry |
| 209 H. Parrish | 260 J. Booker |
| 210 F. Abner | 261 R. S. Price |
| 211 J. Chin | 262 M. Green |
| 212 J. S. Cogwell | 263 William Ish |
| 213 J. Munson | 264 L. C. Cook |
| 214 J. M. Minesinger | 265 J. W. Brown |
| 215 R. A. Barnett | 266 M. A. Reed |
| 216 J. Smith | 267 W. F. Johnston |
| 217 W. M. Cannan | 268 W. J. Ellis |
| 218 A. Johnson | 269 William Hanley |
| 219 W. A. Parrish | 270 D. Turner |
| 220 R. D. Steele | 271 L. Z. Noland |
| 221 D. L. Hunter | 272 Robert Turner |
| 222 B. Greene | 273 William Daly |
| 223 R. B. Bradford | 274 J. D. Patrick |
| 224 W. C. Yerby | 275 B. Hinson |
| 225 J. B. Rallen | 276 R. E. McDail, jr. |
| 226 B. T. Lankford | 277 William Riley |
| 227 D. Payne | 278 John Catron |
| 228 J. B. Devenport | 279 M. W. McGee |
| 229 G. L. Pitcher | 280 T. P. Shrock |

281 F. A. Counsaler	332 Abram Russell
282 J. J. Flemming	333 John Hall
283 J. Carnahan	334 William Hill
284 C. B. Maddox	335 Edmund Hill
285 Preston Hoge	336 David Rice
286 A. M. King	337 L. Buey
287 C. H. Whittington	338 D. McBride
288 T. Worthington	339 Joseph Hall
289 John Raulston	340 Martin Wade
290 J. H. Merit	341 Joseph All
291 William B. Jones	342 George Long
292 C. G. Bans	343 Isaac Rufner
293 James Critser, (rejected)	344 John Swigert
294 J. T. Benson	345 Steven Russell
295 Solomon Allhores	346 C. Knott
296 E. G. Walker, (rejected)	347 William Todd
297 William McKinsey	348 A. G. Hogns
298 William L. Perkins	349 W. Wintersmith
299 A. J. Smith	350 Robert Taylor
300 James Harris	351 Jacob Mitchell
301 Charles Smith	352 Charles Julian
302 John Jette	353 Rufus Scarse
303 J. C. Calhoun	354 John Watson
304 Peter Smith	355 Robert Letcher
305 A. H. Major	356 John Powell
306 W. T. L. Smith	357 J. Hershberger
307 H. Clay, jr.	358 J. M. McAustia
308 Joseph Smith	359 M. Barstow
309 Thomas Smith	360 Edward Zeglor
310 Henry Buey	361 A. Dudley
311 Thomas Trigg	362 John Hampton
312 A. D. Bell	363 B. Luckette
313 Thomas Bell	364 James Rupe
314 Isaac Rice	365 James Davidson
315 John Rice	366 George West
316 Joseph Hider	367 James Batchlor
317 John Lingo	368 John Temple
318 John Bell	369 Robert Blackburn
319 James McCiz	370 A. Pearson
320 A. King	371 Joseph White
321 H. Smouse	372 Thomas Shockley
322 John Banden	373 Olander Brown
323 H. Folch	374 Hugh Ferrell
324 John Christy	375 James Judge
325 John Davis	376 David Passett
326 Amos Gross	377 John Ruyon, (rejected)
327 Alpha Gross	378 M. C. Burgess
328 M. Boswell	379 C. Hoard
329 Michael Wagner	380 William Bassett
330 John Wagner	381 John Balding
331 John Hoffman	382 William Morand

383 John Earley	434 Jacob Louck
384 Upton Burgess	435 John Brand
385 Worder Earley	436 W. W. Dillon
386 Walter Waddle	437 Henry Charles
387 J. W. Gray	438 G. H. Charles
388 Dan. Runion	439 Jackson Bluff
389 Ned Roff	440 Daniel George
390 W. Todhunter	441 M. Garver
391 John Roff	442 D. Steel
392 William Huey	443 Philip Day
393 Andrew Gibson	444 W. Jacobs
394 Adam Henderson	445 Munroe Lore
395 Edwin Dobins	446 Goodlow Long
396 C. Mitchell	447 A. C. H. Long
397 L. X. Day	448 Jefferson Bledsoe
398 D. Gant	449 T. C. Ewing
399 Andrew Floyd	450 William Epley
400 Ben. Macky	451 Jacob Barring
401 Abner Hoard	452 Henry Bathurst
402 M. E. Logan	453 G. Rupp
403 C. Cruck	454 Peter Stone
404 James Wilard	455 P. M. Gholin
405 D. G. Williams	456 Franklin Reeder
406 George Sharp	457 B. Miers
407 H. C. Shotwell	458 Randolph King
408 F. H. Cirkpatrick	459 A. Warner
409 Eli Reed	460 Charles Warren
410 E. J. Torpin	461 Z. Warner
411 B. Bonard	462 John Lovejoy
412 Ranson Jones	463 A. Estill
413 John Kirkpatrick	464 W. Dillingham
414 William Mack	465 George Rause
415 M. Gruber	466 Samuel Barny
416 J. V. Dier	467 Obadiah Hultz
417 Simpson Shernor	468 Charles Hultz
418 Zachariah Sherwood	469 Abraham Chambers
419 John Harris	470 S. Metcalf
420 Samuel Coons	471 R. L. Graves
421 Peter Brooks	472 N. A. Milton
422 Henry Samuels	473 Ben. Rich
423 George Helm	474 J. Hodg
424 William Conrad	475 J. T. Moorehead
425 F. Hantz	476 Joseph Gale
426 Charles Williams	477 Frank Davis
427 Jacob Gitt	478 J. M. Davis
428 Z. Corre	479 P. T. Cann
429 Ezra Cline	480 B. G. Powell
430 W. Moore	481 W. Brown
431 Henry Putts	482 William Mosby
432 F. F. Danaway	483 John Mosby
433 Wm. Peters	484 K. Moss

485 A. D. Benning	536 Thomas Etter
486 John Bangs	537 Willy Thomas
487 Charles Branson	538 John Curby
488 William Williams	539 Charles Curby
489 J. P. Thomas	540 Joseph Zeaball
490 William Fort	541 James Holloway
491 J. McCawly	542 Lewis Green
492 John Mason	543 John Gann
493 William Bingham	544 Jonas Marion
494 J. O. Young	545 James Marion
495 J. W. Wilson	546 George Ferrell
496 P. Griffin	547 Phares Ferrell
497 John Bowman	548 J. W. Renich
498 Richard Hodge	549 Jabal Cudiff
499 Pen Mahon	550 F. B. Burrell
500 Robert Goodlow	551 R. A. Snead
501 James Bennett	552 D. H. Bowring
502 John Gilmore	553 William A. Gorden
503 N. H. Marrow	554 G. C. Adamson
504 William Tomson	555 E. P. Lee
505 A. Rutherford	556 J. C. Young
506 W. Green	557 D. Bates
507 John Lyon	558 J. A. Emerson
508 E. McBride	559 J. H. Chin
509 A. Ridge	560 Jona. Dean
510 A. Noland	561 Charles Triplett
511 A. Bedford	562 Abner Houston
512 N. Logan	563 Drury Crews
513 J. Hassell	564 Benjamin Emerson
514 A. Crump	565 W. A. Chausler
515 H. Wallace	566 Thomas Harber
516 E. N. Higgins	567 W. H. Pollard
517 R. J. Hause	568 R. S. Lomax
518 M. B. Stuard	569 Kibble Stonall
519 P. Tyree	570 Richard Lee
520 John Black	571 Allen Jennings
521 Charles Fox	572 Alfred King
522 H. Willis	573 J. A. HeHatten
523 W. A. Clinton	574 E. W. Carpenter
524 J. H. Vernon	575 S. Bonham
525 J. M. Kelly	576 J. W. Jacobs
526 M. J. Munroe	577 B. W. Sowers
527 C. H. Chism	578 M. Arnold
528 J. McFarlin	579 J. E. Myers
529 D. B. Williams	580 F. Myers
530 S. D. Hunter	581 J. S. Brown
531 G. W. Bledsoe	582 J. T. Dodd
532 John Meadow	583 J. T. Worthington
533 M. Bliss	584 William Carse
534 S. Brockman	585 J. W. Mathews
535 W. S. Caselman	586 F. J. Thorp

587 W. M. Liptwich	598 Charles Pultz
588 J. F. Kingcade	599 Henry Somers
589 A. T. Simmons	600 W. Metter
590 John Elmore	601 H. Snotgrass
591 Peter Mahan	602 L. Early
592 Philip Cobbs	603 Peter Darby
593 James Lomax	604 Godlove Coon
594 M. Pollard	605 S. C. Wear
595 E. Slade	606 J. D. Landewald
596 J. Arnold	607 William Graves
597 Robert Lindney	

EIGHTH DISTRICT.

List of votes given at an election held at the house of Arthur J. Baker, in the eighth district Kansas Territory, on the 29th day of November, A. D. 1854.

1 John Druratt	9 James C. Mothers
2 Charles T. Gilman	10 John F. Godell
3 Charles H. Hamilton	11 Morgan De Lacey
4 Allen Crowley	12 Mitchell W. Hogur
5 John A. Kelly	13 D. Wright
6 Eli M. Sewell	14 Thomas S. Huffolor
7 Torrence Brooks	15 G. M. Simork
8 F. M. Crowley	16 A. J. Baker

NINTH DISTRICT.

List of the voters of the ninth district at the election held at the house of Thomas Rennolds, in the ninth district of the Territory of Kansas, on the 29th day of November, 1854, for the election of delegate to the House of Representatives of the United States.

1 W. C. Smith	15 T. Sonnameker
2 Michael Ragan	16 John O'Donnell
3 David Jones	17 N. T. Boal
4 W. McNelley	18 S. B. Hoin
5 W. A. Hammond	19 S. H. Hackett
6 H. T. Karr	20 D. R. Perry
7 T. Conway	21 James Seals
8 H. Westcott	22 Jesse Spencer
9 James Glenmon	23 D. Ferrow
10 James Marten	24 John Ferrow
11 George DeBotts	25 T. Rowe
12 John Rodly	26 W. P. Widup
13 Robert Willson	27 W. P. Moore
14 J. W. C. Pierce	28 E. Connelly

29 A. J. Dolph	35 James Dixon
30 G. B. Von Ansdale	36 P. Dixon
31 J. Westover	37 T. Dixon
32 H. A. Lowe	38 E. F. Mezeck
33 C. R. Mobley	39 T. Runnells
34 T. R. Wells	40 Wm. W. Karr

TENTH DISTRICT.

*List of voters of the tenth district at the election held at S. D. Dyer's,
November 29, 1854.*

1 Benjamin C. Dean	20 Seth J. Childs
2 Enoch G. Hinton	21 John McIntire
3 Marshallet Garntie	22 Harleigh P. Cutting
4 John W. Dyer	23 S. D. Dyer
5 Joseph Stewart	24 Francis Deregon
6 Henry Greene, (oath)	25 S. D. Houston
7 William C. Dyer	26 Samuel Whitehorne
8 William Seymour	27 Stephen N. Frazier
9 George O. Willard	28 Zebulon Avey
10 Charles E. Blood	29 S. P. Allen
11 David Stevenson, (oath)	30 Samuel Knapp
12 John Wilbour	31 A. G. Allen
13 Israel P. Brayton	32 Abraham O. Dyer
14 James Wilson	33 Moody B. Powers
15 Henry Hird	34 Hatch Hall
16 Alden Babcock	35 George W. Ewbanks
17 Andrew Noll	36 William Carroll
18 Edwin M. Tripp	37 J. E. Wood
19 Wm. D. Wicks	

ELEVENTH DISTRICT.

*Poll-list of the election in the eleventh Congressional district, town of
Marysville, November 29, 1854.*

1 Jacob Hahen	11 Levi Rooker
2 William Hayn	12 Peter Straub
3 Jesse Mullen	13 Robert Beech
4 David Bois	14 Edward Buckler
5 David Jems	15 John Harny
6 Samuel Smith	16 Moses Macgrere
7 Marcus Ladd	17 Henry Van Pelt
8 Joseph Laner	18 James Creigh
9 Joseph Hulster	19 John Zenias
10 Abraham Horgus	20 F. D. Purkins

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| 21 Abraham Patten | 72 Avery Fielding |
| 22 G. R. Daskins | 73 Henry Edmonson |
| 23 Robert Blover | 74 Nulton Ferris |
| 24 Daniel Foster | 75 David Sterit |
| 25 David Gilmer | 76 Louis Ring |
| 26 John Fries | 77 Harris Brown |
| 27 John Tompkins | 78 William Hendly |
| 28 N. B. Tompkins | 79 Thomas P. Smith |
| 29 Y. C. Hoy | 80 William Bruner |
| 30 James Adams | 81 Reson Field |
| 31 R. C. Bishop | 82 Richard Yarry |
| 32 John Dawson | 83 George W. Bates |
| 33 G. Butcher | 84 John Cumins |
| 34 Thomas Horrp | 85 Bird Cumins |
| 35 Joseph Davidson | 86 James Savage |
| 36 John Jackson | 87 Hiram D. Coalman |
| 37 John Leech | 88 B. G. Smith |
| 38 James Beal | 89 Samuel Weldon |
| 39 Samuel Smith | 90 Michael Stubbs |
| 40 Thomas Butcher | 91 James C. Sage |
| 41 John Boir | 92 James Demeron |
| 42 A. W. Hawkins | 93 Richard Shoates |
| 43 J. Mitchell | 94 L. D. Dameron |
| 44 S. Smith | 95 D. Sampson |
| 45 E. Cheny | 96 Wilson T. More |
| 46 Y. C. Eron | 97 B. Neely |
| 47 C. Butcher | 98 Jeremiah Sweat |
| 48 B. S. Heart | 99 A. McClelland |
| 49 William Miller | 100 Alexander S. Clark |
| 50 John Givan | 101 A. G. Woodward |
| 51 William Tucker | 102 Benjamin Plasters |
| 52 John Manning | 103 J. W. Jefferson |
| 53 G. W. Gwin | 104 S. M. Noy |
| 54 James Houx | 105 L. M. More |
| 55 John F. Bigby | 106 Jessy Richardson |
| 56 Elijah Bennett | 107 Jeremiah Tutman |
| 57 J. B. Ritchfield | 108 Nathaniel Cravens |
| 58 John Hardin | 109 James Powers |
| 59 H. Hunter | 110 Marion Stigall |
| 60 Thomas Goodwin | 111 B. G. Phelps |
| 61 Jacobe Bell | 112 Charles W. Wood |
| 62 John Spencer | 113 John Pravis |
| 63 William Hemingway | 114 James Bastrop |
| 64 James Gordon | 115 William Lock |
| 65 Daniel Bowley | 116 James Lucas |
| 66 W. B. Hubbard | 117 Simon Buckhanan |
| 67 Smith Younts | 118 W. Read |
| 68 J. B. Owens | 119 David Weller |
| 69 William Neal | 120 Philip Winberger |
| 70 D. O. Allen | 121 Henry Ferel |
| 71 Alex. Sloughtenborro | 122 William Booker |

123 Jessey Hoalman	174 Thomas Lee
124 William Heuston	175 J. F. Pendleton
125 W. P. Roland	176 John Stodorc
126 J. S. Talbot	177 Sirus A. Cunningham
127 John Sanders	178 Leander Basey
128 Joseph Brown	179 Samford Cox
129 J. B. Henderson	180 Richard M. Johnson
130 Samuel W. Green	181 John T. Burch
131 Lewis Moody	182 J. D. Bullard
132 Stephen Hancock	183 E. R. Smith
133 James Beatley	184 W. P. Davidson
134 Johnson Menafce	185 G. A. Rowan
135 John G. Blue	186 Stephen Funill
136 Peter Wilson	187 S. Y. Logan
137 Sampson Long	188 William M. Proctor
138 Sampson Oliver	189 Jessey Yearey
139 Levi Strous	190 David Brown
140 John Yoman	191 M. F. Bogan
141 Ezra Easton	192 James Johnson
142 J. C. Owens	193 Benjamin Branin
143 James McCamy	194 John R. Black
144 William Sutzeler	195 Sanford Robinson
145 William Magar	196 Eli Lovington
146 Jacob West	197 Jones White
147 Ira Green	198 Eanezer Robb
148 Reuben Fergerson	199 P. H. Vaughn
149 William Holt	200 James More
150 John H. McDonald	201 John Dulany
151 Benjamin Cassorn	202 James Gorhan
152 Patrick Coons	203 Rodney Dungleeson
153 S. H. Bronson	204 Henry Long
154 Raley Haydon	205 Joab Duett
155 Lewis Coats	206 James Bernhard
156 F. Fowler	207 Samuel Gail
157 James H. Gooden	208 John Morgan
158 Beason Sowards	209 James Summonds
159 Jefferson Lyons	210 Mason Ratliff
160 Jacob Butts	211 Albert Gibson
161 Urial Coy	212 J. McCartney
162 Marion Thiekild	213 James Grason
163 B. P. Bell	214 John Whitaker
164 Heram Brooks	215 Jacob Weber
165 Mack Robertson	216 Jones Fowler
166 John T. Griffith	217 John S. Sursey
167 J. P. Strother	218 Ben. Poe
168 Micager Brown	219 William Slow
169 Joseph Towner	220 John Scott
170 William Longworth	221 William H. Henley
171 L. Morton	222 Henry Best
172 H. R. Willis	223 John Mefford
173 Martin Sexton	224 John Swope

225 John Pertell	236 John Craft
226 Joseph Bane	237 John Medill
227 Archibald Huder	238 John Grayham
228 Isaac Humphrey	239 Telford Todd
229 Hiram Alcom	240 George Baxter
230 Dulany Perkins	241 Hugh Baker
231 Solon White	242 S. B. M. Homer
232 John Hekin	243 William Tullop
233 Hiram Haus	244 George Poal
234 John Lay	245 John Stone
235 M. B. White	

TWELFTH DISTRICT.

List of the names of the voters in the twelfth district, taken at the house of Mr. R. C. Miller, on Salder creek, Kansas Territory, November 29, 1854, for delegate to Congress.

1 R. C. Miller	22 Peter Nessent
2 John Walker	23 N. K. Wingorner
3 Benj. Morgan	24 Eron Kennedy
4 John Lennord	25 A. Melner
5 F. Trombley	26 W. H. Wells
6 J. J. Miller	27 Samuel Cummings
7 Warner Miller	28 Peter Prudehour
8 J. B. Hay	29 Louis Ogee (oath)
9 J. Hunk	30 Battese Oscum (oath)
10 Louis Vien (oath)	31 F. H. Contramen
11 Paul Vien (oath)	32 L. M. Cox
12 Charles Vien (oath)	33 Charles W. Bobien
13 Jas. Lorton (oath)	34 James A. Gray
14 J. C. Vanderpool	35 Cass Alley
15 Jacob Mindes	36 W. K. Wanton
16 E. G. Boothe	37 A. A. Crane
17 H. McDowell	38 Steph. Hopkins
18 G. W. Baker	39 Charles Dean
19 E. M. Sloom	40 G. B. H. Gibbs
20 C. B. Randell	41 Wash. Gibbs
21 Bassel Grumer	

THIRTEENTH DISTRICT.

List of voters at the election in the thirteenth district, November 29, 1854, for delegate to Congress.

1 C. P. Buding	4 Alexander Rodd
2 John De Roche	5 Charles Munn
3 P. H. Collins	6 Nathan Isaac

7 J. S. Brudfield	39 Henry C. Cukenville
8 J. B. Cockrill	40 A. Sidney Tebbs
9 Kemp M. Woods	41 Alexander Lubrick
10 J. B. Moore	42 Mathew Winston
11 Elijah W. Mann	43 Johnson Hughes
12 James Williams	44 Samuel L. Winston
13 Alexander K. Elliott	45 William Hinshaw
14 Hugh Swaney	46 John Pate
15 Alexander Mills	47 Richard Chandler
16 John Swaney	48 Samuel Hudson
17 Elbert O. Muller	49 Baruck Prather
18 T. H. Bradley	50 Thomas P. Chandler
19 J. C. Cockrill	51 Henry C. Cony
20 W. G. Williams	52 Henry S. Bretz
21 Granville Adkins	53 Elijah Harding
22 Daniel F. Tebbs	54 Henry C. Scul
23 James L. Taylor	55 John Cunningham
24 Holman Banfield	56 William Arthur
25 C. J. Reager	57 Barton D. McDowell
26 Albro Pemberton	58 John Millier
27 William Haddix	59 John H. Myers
28 Silas M. Gordon	60 Samuel Hoy
29 William E. Daniel	61 Benjamin R. Morton
30 Samuel Johnson	62 Joseph Walker
31 Joseph A. McDaniel	63 Jackson Miller
32 Archibald Clark	64 Jesse Miller
33 William Pemberton	65 O. B. Tebbs
34 Benjamin Boydston	66 John Hunt
35 Charles Rodd	67 G. Sprague
36 G. M. Dyer	68 L. Shepard
37 D. M. Rinley	69 Preston Monel
38 Wm. H. Tebbs	70 John D. York

FOURTEENTH DISTRICT.

Poll-book.

1 Hamilton J. Johnston	13 John H. Whitfield
2 Andrew J. Doland	14 Uriah Griffith
3 Wm. Jordan	15 Jas. B. Baker
4 Wm. M. Greer	16 Thos. C. Hawley
5 Fleming Ridge	17 Auguste Moynes
6 Nelson Abby	18 Peter O'Rourke
7 Benja. Dodd	19 Antoine Tezian
8 James H. Merrill	20 Wm. H. Hinchman
9 Sinclair K. Miller	21 Charles Eggers
10 James Cannon	22 Philip James
11 Paul Merriman	23 Jas. F. Forman
12 John Lovelady	24 Ephraim D. McLellan

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| 25 James Grooms | 76 Elbridge J. Robinson |
| 26 Absalom Grooms | 77 Wm. Carson |
| 27 Geo. M. Waller | 78 James W. Taylor |
| 28 Chas. Richter | 79 James B. O'Toole |
| 29 Leander McClelland | 80 Fernando A. Burgher |
| 30 Benj. B. Hazelwood | 81 Dan'l Vanderslice |
| 31 Sam'l Kirkpatrick | 82 Emerson V. B. Rogers |
| 32 Peter Hoover | 83 John N. Granville |
| 33 Arnott Grooms | 84 Nelson Rogers |
| 34 Colmore Newman | 85 Wm. Vanderslice |
| 35 Richard Boulware | 86 James Vanderslice |
| 36 Green McAfferty | 87 Harvey W. Forman |
| 37 Albert Head | 88 Lewis C. W. Forman |
| 38 Thomas Minston | 89 Hardin Critchfield |
| 39 John Doyle | 90 John S. Pemberton |
| 40 Joel Blair | 91 Nicholas White |
| 41 Jesse Brown | 92 Thomas J. Vanderslice |
| 42 Joel Ryan | 93 Frederick Treat |
| 43 Jeffrey M. Palmer | 94 John Copeland |
| 44 Wm. P. Richardson | 95 James Carson |
| 45 Mathew Iles | 96 Gershom M. Gilhiam |
| 46 James Kendall | 97 Lasiter Copeland |
| 47 Peter Monroe | 98 Alfred O. Rice |
| 48 Tupley Rolph | 99 Henry Thompson |
| 49 Eben'r Blackstone | 100 Jacob Younger |
| 50 Sam'l Montgomery | 101 Sidney Tenant |
| 51 Wilson D. Moore | 102 Christine Donovan |
| 52 Henderson Smallwood | 103 George C. Catlett |
| 53 Andrew A. Hayes | 104 John A. Van Ansdale |
| 54 Carey B. Whitehead | 105 Robt. M. Whitsett |
| 55 Andrew J. Turpin | 106 John Smith, sen. |
| 56 Jesse F. Gaves | 107 Josiah Morris |
| 57 Henry H. Marsh | 108 Geo. W. Stillwell |
| 58 Squire V. Marsh | 109 James O'Toole, sen. |
| 59 John P. Marsh | 110 Thomas W. Waterson |
| 60 James P. Haymore | 111 Francis Youpy |
| 61 Wm. H. Davis | 112 Hamilton Osborn |
| 62 Frederick Reed | 113 Peter Cadden |
| 63 Benj. S. Wharton | 114 Anderson Cox |
| 64 Wm. A. McIntosh | 115 Charles C. Carson |
| 65 Alexander Davis | 116 Luther Dillin |
| 66 Wm. A. Hill | 117 Grandison R. Wilson |
| 67 Watson Stewart | 118 Robert Ewing |
| 68 John Fisher | 119 Geo. W. Gillespie |
| 69 Joseph Liceliff | 120 Jacob Sharp |
| 70 Henry Smith | 121 Ross Hinchman |
| 71 Robt. McSperran | 122 Jesse R. Sharp |
| 72 James Campbell | 123 Charles Buxby |
| 73 John Trotman | 124 Edward Seuvey |
| 74 Walker G. Reed | 125 Jefferson B. Baker |
| 75 Coby C. Gordon | 126 Reuben P. Briggs |

127 Francis Lasinett	141 Wm. M. Briggs
128 Andrew Dizert	142 John S. Brady
129 Oliver H. P. Craig	143 William Shelton
130 Johnson Carson	144 Benj. Fry
131 Mark Vogan	145 Cuspel Larsner
132 George Jamieson	146 William Arthurs
133 Claudius A. Rowley	147 Joker Fee
134 Francis O. Hughes	148 Milton Bryan
135 Thomas H. Baker	149 James R. Whitehead
136 John D. Armstrong	150 Benjamin Harding
137 John Smith, jr.	151 William Turpin
138 Aaron Lewis	152 John W. Stevens
139 Aaron Quick	153 John C. How
140 Edwin P. Weaver	

FIFTEENTH DISTRICT.

Poll-books and returns of the election held on the 29th day of November, A. D. 1854, at the house of Paschal Pensenan, in the fifteenth district of the Territory of Kansas, for delegate to Congress.

1 Jesse Morin	28 Thomas B. Craven
2 Ira Norris	29 Isaac House
3 Dr. Stringfellow	30 Leonidas Oldham
4 W. H. Miller	31 Y. K. Bradley
5 Mathias Yocum	32 Israel Swan
6 John Yocum	33 J. E. Hervey
7 Edward O'Reily	34 Samuel Hays
8 Paschal Pensenan	35 Van S. Graham
9 Hugh McKowen	36 J. B. Mitchell
10 Stanford McDonald	37 J. Y. Darnell
11 James L. Sale	38 J. H. Bradley
12 Cornelius Sale	39 D. J. Thomas
13 John Miller	40 Thomas Faulkners
14 George W. Layton	41 George Percy
15 N. J. Ireland	42 Joseph Henderson
16 S. Johnson, (under prot.)	43 James Henderson
17 Wm. Elliott	44 James Lewis
18 Samuel Dickson	45 John A. Beckner
19 Wm. L. Stephens	46 J. W. Anderson
20 Thomas Dermain	47 James Browning
21 Fred. Freeland	48 James W. Bedwell
22 Dan Grover	49 Henry Debard
23 J. M. Freeland	50 George Million
24 A. B. Elliott	51 Adam Johnson
25 Uriel Hickley	52 J. T. Bradley
26 Martin Weimar	53 A. R. Oldham
27 R. B. Hays	54 Joseph McBride

55 J. L. Jenks, (aff.)	106 Thomas Scanlan
56 Samuel Sapp	107 Jeremiah McCune
57 O. F. Doroty	108 A. W. Hughes
58 Levi Beechier	109 C. H. Grover
59 Wm. Dney	110 Van Buren Hensley
60 Marion Estes	111 Madison H. Clemens
61 Isaac Lincoln	112 G. Y. Charless
62 Wm. H. Elliott	113 S. Y. Walter
63 G. H. Mitchell	114 Sidney Walters
64 A. R. Davis	115 John A. G. Fisher
65 J. H. Brown	116 N. A. Miller
66 N. S. Townsend	117 N. R. Green
67 Jefferson Roney	118 Col. Lewis Burns
68 John Groff	119 George Wilson
69 J. W. Thompson	120 Julius Newman
70 James Sweeney	121 Craven Calvert
71 R. F. Duncan	122 John Amberg
72 J. B. Duncan	123 Melzor Cole
73 Wm. Daugherty	124 Wm. Martin
74 George H. Smith	125 John Galbreth
75 Oscar Bywaters	126 A. Warmack
76 G. Tomlinson	127 Thomas J. Carson
77 J. Cutter	128 John W. Martin
78 J. Weddle	129 Charles S. Foster
79 David Howard	130 Jesse Welch
80 Thomas L. Douglass	131 John L. Freed
81 M. F. Bailey	132 Mason Hall
82 J. M. Harrison	133 John Parker
83 E. C. Mason	134 John Welch
84 John Bryant	135 Wm. Welch
85 James Cooley	136 Caleb Wright
86 James Potter	137 James Welch
87 Amos A. Gorndyke	138 Martin Cline
88 H. B. Herrington	139 P. Farrell
89 Robert Ely	140 Harvey Welch
90 C. B. Hodges	141 Wm. Baisely
91 C. C. Redman	142 Thomas Scott
92 J. S. Hammond	143 Noah Antony
93 Robert S. Blacygard	144 G. R. Searcy
94 J. M. Alexander	145 John Hammer
95 Wm. Morton	146 James Brooks
96 John Weiser	147 Henry Plunkett
97 H. C. Bradley	148 Lazarus Yocum
98 John Waddell	149 J. G. Downey
99 George B. Wells	150 Jonathan Congrove
100 Wm. Young	151 H. H. Williams
101 James W. Crawford	152 R. H. Dyer
102 G. B. Gates	153 R. L. Kirk
103 George Carter	154 Jesse Shephard
104 Y. Scanlan	155 Samuel M. Bowman
105 Wm. Digman	156 N. B. Lamar

157 B. Yocum	208 J. H. Myres
158 Allen Pullen	209 Wm. Cody
159 Thomas J. Huggins	210 G. Clark
160 J. B. Wiley	211 A. Cook
161 Wm. Dyer	212 Job Robins
162 Samuel Ross	213 John W. Freeland
163 W. D. Bonnell	214 John Site
164 J. M. Mulky	215 Charles G. Sites
165 G. W. Thompson	216 John Freeland
166 J. H. Myers	217 Alfred Allen
167 Wm. Sharp	218 B. F. Young
168 J. W. Foster	219 James J. Jones
169 John Cook	220 C. P. Allgier
170 E. Smith	221 L. Fist
171 James Bolton	222 Jonathan Lacy
172 Y. J. Thompson	223 Henry B. Gale
173 E. D. Bishop	224 R. S. Merchant
174 U. Y. Gennett	225 W. Hays
175 Levi Bowman	226 John House
176 John Roberts	227 John S. Ramsey
177 Wm. Fulton	228 Henry Williams
178 R. W. Thompson	229 David Atkins
179 Silas Wells	230 P. L. Yervell
180 G. S. Davis	231 John McDonald
181 G. W. Sharp	232 Wm. Oburn
182 R. D. Davis	233 J. W. Pate
183 Martin Short	234 Dr. Harris
184 Wm. G. Mayfield	235 S. W. Tunnell
185 Joseph Taylor	236 A. J. Walker
186 George Mashens	237 Ottoway Smith
187 M. N. Bland	238 Wm. H. Wells
188 John Taylor	239 Richard Warren
189 S. M. Taylor	240 Allen B. Haggard
190 Heber Taylor	241 A. G. Boyd
191 Wm. Brown	242 James H. Keisner
192 David Ross	243 J. D. Pepper
193 E. M. Hale	244 S. H. Oliphant
194 Ira Hale	245 Wm. G. Marsh
195 Ruse Bowman	246 G. W. Grist
196 J. S. Phillip	247 Samuel Pepper
197 Martin Berry	248 Wm. Thompson
198 James L. Carter	249 Warren Blanton
199 James Hanley	250 David Murphy
200 Dr. J. S. Keller	251 Y. D. Killoe
201 Wm. Haskell	252 R. W. Fox
202 Benjamin Ross	253 Jacob Mortier
203 J. Carson	254 Robert Yoler
204 G. W. Quinby	255 Wm. H. Coon
205 R. N. Davenport	256 John Q. Grayson
206 J. B. Crane	257 Phineas S. Skinner
207 J. S. Thompson	258 Lewis Sumpter

259 Nathaniel Miller	283 B. F. Thompson
260 James N. Burrus	284 Wm. Berry
261 Nathan Nuby	285 Wm. Johnson
262 Nathan Shaler	286 Wm. E. Pitt
263 Isaac Atkins	287 Thomas Doddard
264 Michael Dean	288 Y. F. Golley
265 John J. Carter	289 Michael Wilkins
266 George Kitchen	290 Christopher Horn
267 James Martin	291 A. M. Price
268 Thomas Pensenan	292 Robert S. Kelly
269 John G. Graham	293 Henry Adams
270 Wm. Blackby	294 Enoch Evans
271 Jefferson Donohoe	295 A. C. Hains
272 James Harris	296 Thomas Elliott
273 Douglass Hamilton	297 David Brown
274 Samuel Morehead	298 E. S. Staggs
275 Asa Van Aldenham	299 P. Felix Brown
276 Mathew Robinson	300 James Frazier
277 Robert Loon	301 James V. Buson
278 John Ramsey	302 H. Y. Green
279 Wiley P. Williams	303 S. F. Ray
280 James M. Davis	304 W. A. Lovelady
281 Martin Jones	305 Wm. Allen
282 Jonathan Wallace	306 H. B. Jolly

SIXTEENTH DISTRICT.

Poll-book of an election held on the 29th day of November, A. D. 1854, at the house of Keller & Kyle, in Leavenworth City, in the sixteenth district of the Territory of Kansas, for the election of a delegate to the House of Representatives of the United States.

1 Samuel F. Few	18 Nicholas Lockerman
2 A. Macauley	19 Malcolm Clark
3 Jerry Clark	20 F. M. Tafts
4 John Boyd	21 Jas. Burgess
5 James W. Rich	22 G. W. Riley
6 Asa Smith	23 John A. Randall
7 Wm. Boyd	24 Richard Stoddard
8 Samuel D. Preston	25 David Kennelly
9 James O. Toole	26 Randolph Wolfe, jr.
10 Francis A. Hart	27 Greene D. Todd
11 David Brasfield	28 A. Russell
12 John C. Downing	29 Albert Lander
13 George Leigan	30 Zachariah Mills
14 Thomas Stearns	31 Chesley Fulks
15 J. T. Moore	32 Charles Hulb
16 George Yates	33 Jeremiah Howell
17 Joseph Pennock	34 Winfield Numhill

35 Wm. Dawson
 36 Miles Shannon
 37 James Noble
 38 Wm. Freebourn
 39 Simon C. McElvaine
 40 Rezin Wilcoxin
 41 John H. Brown
 42 George W. Warren
 43 C. McCrea
 44 Wm. Warner
 45 Henry Clay Bishop
 46 Jeremiah Rice
 47 R. H. Higgins
 48 Simon Phillips
 49 J. C. Grinter
 50 B. D. Casselman
 51 M. N. Talbot
 52 H. S. Godsey
 53 D. K. Chapell
 54 George D. Stevenson
 55 Stephen Noble
 56 A. J. Preston
 57 G. B. Pantan
 58 Wm. Greene Woods
 59 John Kissinger
 60 T. P. L. Taylor
 61 Calvin Tolson
 62 S. V. Chance
 63 S. D. Pitcher
 64 Adam Linhart
 65 J. L. Evans
 66 John Williams
 67 S. H. Burgess
 68 S. H. Mays
 69 Jarrett Todd
 70 James Scroggs
 71 R. E. Saunders
 72 John Thomas
 73 Samuel Cummings
 74 John Atkins
 75 Thomas S. Owens
 76 Wesley S. Davidson
 77 Jas. W. McClintock
 78 John Donaldson
 79 John P. Richardson
 80 Wm. C. Webster
 81 R. C. Thomson
 82 James L. Thomson
 83 Gideon L. Brown
 84 T. S. Otterbury
 85 N. A. Kirk

86 H. C. Dunn
 87 Wm. Cummings
 88 Riley Todd
 89 Pleasant Ellington
 90 Simpson Parks
 91 Jeffrey Woodward
 92 Jos. C. Anderson
 93 W. T. Yokum
 94 John Moore
 95 John Dunn
 96 B. M. Crust
 97 H. D. McMeekin
 98 J. B. Hyatt
 99 James Surritt
 100 T. H. Talbert
 101 Howard Conley
 102 Thomson Owens
 103 Eli Moore
 104 John Reed
 105 James Foster
 106 George Brassfield
 107 W. G. Carson
 108 Wm. S. Murphy
 109 Charles H. Pennick
 110 Wm. G. Mathias
 111 J. Hoyt
 112 Thomas Cuming
 113 Wm. Large
 114 John Neely
 115 James H. Fowler
 116 Francis Rasdell
 117 A. T. Pattie
 118 J. M. Guthrie
 119 J. M. Artrold
 120 Wm. M. Beckam
 121 H. T. Dagley
 122 Wm. Hoy
 123 G. B. Redmon
 124 Wm. M. Edmonds
 125 D. Scott Boyle
 126 John H. McClintock
 127 Barnabas Gable
 128 J. T. Woodward
 129 M. R. Grinter
 130 Thomas Stewart
 131 Hiram Rich
 132 Wm. B. Sinmonds
 133 R. H. Fielding
 134 Nathaniel Henderson
 135 James H. Hall
 136 Robert Todd

137	Thomas C. Bishop	187	Wm. Borden
138	John Sparks	188	Hiram Kelly
139	J. Parkinson	189	J. E. Grant
140	James Finley	190	Franklin Keys
141	Isaac Spratt	191	Ellis Henshaw
142	Wm. Wallace	192	Frederick Sprack
143	Philip Zeigler	193	Floyd Shannon
144	Jos. Graham	194	A. Payne
145	Robert Ware	195	A. Cunningham
146	A. Dawson	196	John Argabright
147	Benjamin Foster	197	Russell Garret
148	John R. Mize	198	C. D. Elliott
149	J. B. Pennoek	199	Houston Levy
150	James G. Heck	200	Wm. H. Long
151	T. J. Goforth	201	Nathan Roberts
152	Stephen Sparks	202	Wm. H. T. Parker
153	Lucius Chaffee	203	Michael Kelley
154	Edward Garrett	204	Daniel C. Ames
155	Garrard Levy	205	Wm. Tanner
156	M. F. Conway	206	John M. White
157	R. R. Reese	207	Godfrey Grease
158	Cyrus Garrett	208	M. Dobson
159	Samuel M. Lyon	209	S. Phillips
160	Burrell B. Mize	210	F. Engelsman
161	J. K. France	211	Levi Furguson
162	Thomas T. Sloanum	212	John A. Lindsey
163	Thomas F. Gregg	213	Carrington Harris
164	J. C. Thomson	214	Adam Deitz
165	Wm. Sparks	215	Robt. L. Ream
166	Henry Stoddard	216	B. L. Sellers
167	Zach. Sparks	217	A. H. Scott
168	T. F. Brown	218	James McDaniel
169	Wm. T. Bartz	219	John Owens
	F. Givinner (vote rejec'd)	220	H. Brown
170	Thos. A. Gregg	221	Wm. Engelsman
171	David Creech	222	Neely Harrington
172	Isaac Van Catup	223	M. France
173	Thomas Roberts	224	David Goble
174	Travis Brown	225	C. C. Harrison
175	Lewis A. Neil	226	J. H. Golden
176	David Gragg	227	H. H. Hook
177	J. T. Hook	228	Reuben Snellgo
178	E. K. Adamson	229	Israel Gibson
179	Wm. L. Blair	230	C. F. Bredon
180	H. Nolan	231	G. W. Walker
181	Abner Dean	232	A. J. Bowers
182	James H. Mize	233	S. J. Johnson
183	Daniel A. Willey	234	John Wallace
184	Strother Hay	235	T. B. Selkman
185	John Ussury	236	George Young
186	Currin Nervil	237	Alfred Young

238 P. J. Cuming	268 Nathaniel Higs
239 Simpson Gobler	269 Alex. Reed
240 T. B. Hart	270 Edward Zell
241 Hugh L. Campbell	271 Samuel France
242 Henry Mize	272 W. J. Osborn
243 F. E. Bodd	273 G. M. Fisher
244 S. R. Farr	274 Wm. Saunders
245 John Hall	275 Joseph Font
246 Peter McGill	276 Daniel Smith
247 John C. Newton	277 Wm. English
248 John Frazer	278 C. B. Roberts
249 O. M. Thomas	279 Lewis N. Rees
250 Clement Naef	280 John Drew
251 J. F. Wyatt	281 Robert Maddux
252 Wm. R. Roe	282 Jones Creach
253 Geo. Keller	283 Doregon Fouts
254 Jacob Rehm	284 Josiah McLain
255 H. H. C. Harrison	285 James Skinner
256 Squier Orton	286 Henry Beng
257 John J. Beng	287 N. Sage
258 John Keffer	288 Adam Fisher
259 J. H. Day	289 Adam Corb
260 L. F. Mills	290 Henry Smith
261 L. J. Eastin	291 Lewis Schiller
262 Jas. K. Edsall	292 Asa Stewart
263 Richard Conkland	293 T. S. Abner
264 Chas. Leib	294 John Harris
265 Jas. O. Sullivan	295 Andrew Thos. Kyle
266 W. S. Yoke	296 John Smith
267 Geo. Leonhard	297 Wm. McDowell

SEVENTEENTH DISTRICT.

List of voters at an election held on the 29th day of November, 1854, in the seventeenth district of the Territory of Kansas, for the election of a delegate to the House of Representatives of the United States.

1 Rush Ellmore	13 George Buchanan
2 O. H. Brown	14 Daniel Woodson
3 A. S. Johnson	15 John A. Halderman
4 F. M. Coleman	16 William Chouteau
5 Andrew Monroe	17 F. E. Baley
6 M. C. McGuish	18 A. H. Reeder
7 John M. Owen	19 B. F. Robinson
8 James Gillpatrick	20 Cyprian Chouteau
9 Isaac Parrish	21 Thomas Johnson
10 R. N. Winslow	22 James Mathews
11 Frederick Chouteau	23 Andrew J. Isaacs
12 Joseph Parks	24 William Donaldson

25 M. P. Randall	44 John H. Solomon
26 Richard Menenhall	45 John Boyles
27 A. Gregory	46 John Hall
28 Peter Croco	47 Matthew Hall
29 William Jones	48 L. C. Mathews
30 Charles N. White	49 Horace Hall
31 Jeremiah Dummer	50 Isaac Long
32 F. B. Sullivan	51 Philip Brown
33 John Parks	52 John Pond
34 William Rutlege	53 James Long
35 E. Evans	54 Joseph Boyer
36 Charles Bowls	55 Isaac W. Brown
37 William Honeywill	56 Joseph White
38 R. C. Meek	57 Miller Moody
39 Daniel Doffmeyer	58 Ethen A. Long
40 Charles B. Garrett	59 Augustus Charles
41 Joel Walker	60 Davis Thayer
42 Robert Brown	61 John Parks
43 Calvin A. Kirnatser	62 James Zanes

To his Excellency A. H. REEDER, Governor of Kansas Territory :

Believing that a large number of the citizens of the State of Missouri voted at the election of the 29th instant for delegate to Congress representing Kansas Territory, we respectfully petition your honor that the entire vote of the district receiving the votes of citizens of Missouri be set aside, or that the entire election be set aside.

H. C. Sofford	C. W. Dow
J. J. Emery	James Legart
Edmund Clarke	W. B. Walling
Legamus S. Bacon	William Norriker
C. K. Holliday	S. J. Wells
O. A. Hanscom	John F. Hefek
J. T. Memmon	William Lee
R. G. Elliott	G. W. Reed
John Macley	O. D. Smith
C. Robinson	Stephen W. Felsom
Luke P. Linkon	L. G. Higgins
J. M. Benby	G. M. Chaffeur
Otes W. Lamb	I. T. Tappan, jr.
J. C. Massmon	L. Lechfield
James Crocklen	L. T. Lechfield
W. A. Holmes	A. V. Coffin
J. L. M. Whilcomb	E. Desbro
Augustus H. Gertt	G. W. Patridge
C. Thos. Roberts	John W. Waite
Samuel L. Haley	D. C. Barrett
Naculon Lobiamie	S. G. Johnson
George W. Kent	J. E. Gorden

Justin Lewis
T. Z. Cook
Samuel Kenneday
Heron C. Covil
B. N. Cortendge
J. S. Cowen
J. M. Rukkey
E. D. Ladd
Fra. King
C. Stevens
S. N. Simpson
John Day
George Gilbert
Joel Grove
Samuel Kembel
D. S. Mott
Calep S. Pratt

H. N. Hancock
J. W. Carlton
Jos. B. Abbott
A. H. Mallory
R. M. Pearson
Frank Niskell
J. L. Storn
F. O. Tolles
A. D. Surl
J. W. Hutchinson
J. M. Jones
S. N. Reed
Saml. T. Lewis
S. S. Snyder
Dunna Furrow
John Furrow

THE CENSUS
OF
THE TERRITORY OF KANSAS,
FEBRUARY, 1855:
THE RETURNS OF THE ELECTIONS OF MARCH 30 AND MAY 22, 1855;
AND
THE ACTION OF GOVERNOR REEDER THEREON.

*The persons appointed by the governor to make an enumeration of inhabitants and qualified voters in the Territory having made their returns, the following table of inhabitants and qualified voters in the several districts is compiled therefrom.**

Districts.	By whom taken.	Males.	Females.	Voters.	Minors.	Natives U. S.	Foreign birth.	Negroes.	Slaves.	Total.
First	C. W. Babcock.....	828	339	369	459	881	75	.....	.....	962
Second	O. H. Brown.....	816	303	199	207	506	19	1	7	519
Third	T. W. Hayes.....	161	91	101	112	215	12	.....	6	222
Fourth	O. B. Donaldson.....	106	71	47	97	169	2	1	1	177
Fifth	William Barber.....	794	500	442	734	1,585	22	27	26	1,407
Sixth	do.....	492	314	255	418	791	12	11	11	810
Seventh	J. R. McClure.....	82	36	53	60	117	1	7	1	114
Eighth	do.....	56	27	39	38	76	7	15	10	82
Ninth	M. F. Conway.....	61	25	26	31	66	12	14	8	86
Tenth	do.....	97	54	63	61	108	39	.....	.....	151
Eleventh	B. H. Twombly.....	20	8	14	5	30	6	.....	.....	36
Twelfth	do.....	104	40	78	85	169	87	.....	7	144
Thirteenth	H. B. Jolly.....	168	116	76	145	273	9	14	14	294
Fourteenth	Albert Wred.....	655	312	254	391	66	1	35	1,167	1,167
Fifteenth	H. B. Jolly.....	492	281	208	444	846	16	15	15	873
Sixteenth	Charles Lech.....	708	425	385	614	1,042	104	45	88	1,195
Seventeenth	Alexander S. Johnson	91	50	30	54	145	5	4	39	150
Eighteenth	B. H. Twombly.....	59	40	38	51	97	1	.....	.....	99
		5,123	3,858	3,905	5,469	7,161	409	151	192	8,001

* Copied from the executive minutes, March 8, 1855.

PRECEPT.

You are hereby appointed to take the census of the *first election district of the Territory of Kansas*. The act of Congress requires not only an enumeration of the inhabitants, but also of the qualified voters; and as the law commits solely to my discretion the mode of taking and returning, I have caused books to be prepared which will exhibit many features of our population interesting to the public and useful in the way of statistical information, as well to the legislature as the

people. In this book you will find columns prepared accordingly. In noticing the age you write on the proper column for those under twenty-one the word "minor;" for those between 21 and 30 the figures 21; and for those between 30 and 40, between 40 and 50, between 50 and 60 and over 60, write always the lower number. In noting males, females, natives of the United States, naturalized citizens, declarants, (meaning those who have declared before some proper court their intention to become citizens,) qualified voters, negroes, and slaves, it will only be necessary to insert a mark or figure on the proper column. Those columns of marks or figures you will foot up on each page, and at the end of the book you will bring together and foot up the several columns of each class, so as to show the aggregate of each. You will also ascertain and state the total of each kind of occupation, and of each class found in the column of age. The columns for occupations will, of course, be left blank for minors who have none and females. In entering the place you will enter the State or Territory of the United States, or the foreign country, which was the last place of residence, and you will ascertain from this column and carry to the end of the book the number from each place named.

You will not include army officers or soldiers of the army, or persons attached to troops in the service of the United States, unless they intend to remain and reside in the Territory when not on service, nor will you include any Indians or persons of Indian blood. As this is an enumeration of inhabitants and not of property, you will enter the name of no man by reason of owning or claiming land here, or of his intention to remain here, but only those who actually dwell here at the time of taking the census.

In noting the qualified voters you must ascertain from your own observation, and the best information you can procure, who are entitled to be thus considered and designated. A qualified voter must be free, of white blood, twenty-one years of age, an actual resident of the Territory, dwelling here with the *bona fide* intention of making it his home, and a native or naturalized citizen of the United States, or a declarant who has sworn to support the Constitution of the United States and the act organizing the Territory.

As it may become necessary, in the formation of representative districts, to divide your district, it will be well to preserve, by notes in the blank pages, some information as to the number of the inhabitants, with reference as to known localities and natural boundaries, or at least so as to take the enumeration, that you may communicate to me such information on this head as that I may be enabled myself to make the necessary notes.

You will also make a separate alphabetical list of the qualified voters in the district and return the same personally to me, with your enumeration and classification, on the tenth day of February next, when you will be expected to take the oath entered at the end of this book.

Issued this 22d day of January, 1855.

A. H. REEDER,
Governor of the Territory of Kansas.

W. C. BABCOCK, Esq.

FIRST DISTRICT.

List of voters of the first election district of the Territory of Kansas, according to the census returns taken by W. C. Babcock in the months of January and February, 1855.

Names.	Where from.	Names.	Where from.
Edward Chinguan.....	Iowa.....	Daniel Lowe.....	Massachusetts
William W. Hall.....	Massachusetts	Charles Robinson.....	do.
William H. R. Sykins.....	Missouri.....	Samuel C. Pomeroy.....	do.
James Garvin.....	Illinois.....	Joshua Fuller.....	Ohio.....
John P. Wood.....	do.	Robert Horton.....	Massachusetts
John Baldwin.....	Massachusetts	Joshua Thaxter.....	Maine.....
Daniel H. Brooks.....	do.	Jonathan M. Burleigh.....	N. Hampshire
Samuel C. Harrington.....	do.	William Ricker.....	Maine.....
Samuel N. Harrington.....	do.	William McReady.....	Missouri.....
Calvin H. Sarvin.....	do.	Orville D. Smith.....	Ohio.....
Silas B. Wayne.....	do.	George W. Reid.....	New York.....
Edwin Bond.....	do.	John Mack.....	Massachusetts
George F. Earle.....	do.	Frederick King.....	New York.....
Amos Finch.....	Iowa.....	Otis H. Lamb.....	Massachusetts
Lijarius L. Bacon.....	Ohio.....	Jonathan Bigelow.....	Maine.....
Justin S. Lewis.....	do.	George Havens.....	Massachusetts
Clark Tift.....	Rhode Island.	Frederick Kimball.....	N. Hampshire
Anson E. Alverson.....	New York.....	Samuel Kimball.....	Massachusetts
Clark Stephens.....	Iowa.....	Thomas Brooke.....	New York.....
Francis O. Tolles.....	Vermont.....	William Evans.....	Massachusetts
William N. Baldwin.....	Illinois.....	Mathew H. Spittle.....	New York.....
Edward Jones.....	Iowa.....	Horatio U. Brent.....	do.
Gerome B. Taft.....	Massachusetts	Stephen J. Willis.....	do.
Samuel S. Snyder.....	Pennsylvania.	Hiram C. Cavi.....	Ohio.....
Noah Cammeron.....	New York.....	Samuel E. Martin.....	do.
Hugh Cammeron.....	Dist. Col.	Forester Hill.....	Massachusetts
Samuel Y. Lam.....	New Jersey	John L. Crane.....	do.
John Hutchinson.....	Wisconsin	Charles W. Perril.....	New York.....
Albert D. Searl.....	Massachusetts	Benjamin Johnson.....	Pennsylvania.
Hiram Clark.....	Georgia.....	John H. Dady.....	Ohio.....
Samuel S. Topan.....	Massachusetts	Eli W. Bennett.....	Pennsylvania.
Charles W. Dorr.....	Ohio.....	John Speer.....	Ohio.....
William S. G. Soule.....	Maine.....	Robert G. Elliot.....	Indiana.....
D. C. Barrett.....	Dist. Col.	Josiah Miller.....	Illinois.....
William O. Wood.....	Massachusetts	Charles F. Garrett.....	Ohio.....
A. W. Glenison.....	Pennsylvania.	William D. Atwood.....	Missouri.....
Alonzo W. Moore.....	do.	Joseph J. Baise.....	Ohio.....
Thomas Roberts.....	do.	Eieker C. Safford.....	do.
James S. Stevens.....	Massachusetts	Eleber L. Pratt.....	Massachusetts
James H. Gleason.....	Pennsylvania.	James S. Emery.....	New York.....
John H. Miller.....	Massachusetts	Oliver H. Hanerom.....	Massachusetts
George W. Brown.....	Pennsylvania.	John Mailey.....	do.
Phelix P. Fowler.....	New York.....	James F. Morrison.....	Vermont.....
Theodosius Johnson.....	do.	Erastus D. Ladd.....	Wisconsin
Ellmore Allen.....	do.	John L. Mott.....	Michigan.....
Normon Allen.....	do.	Joel Grover.....	New York.....
Azuelph Allen.....	do.	Marshal R. Miller.....	Pennsylvania.
James S. Cowen.....	Ohio.....	John C. Gorden.....	New York.....
Nicholas Snyder.....	Minnesota.....	H. D. Graves.....	N. Hampshire
Hiram Williams.....	Massachusetts	George Carey.....	New York.....
Henry Brunton.....	Ohio.....	Henry S. McClelland.....	Pennsylvania.
Thomas Burton.....	Missouri.....	Charles Stearns.....	Massachusetts
John C. Archibald.....	Massachusetts	Edward Fitch.....	do.
Thomas F. Reynolds.....	New York.....	John H. Wilder.....	do.
Robert Buffum.....	Massachusetts	John A. Lowrey.....	Ohio.....
John W. Carlton.....	do.	F. W. Kinkle.....	Connecticut.
David C. Buffum.....	do.	Calvin C. Kettle.....	Pennsylvania.
Edward Clarke.....	New York.....	George Brown.....	Kentucky....

FIRST DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
Samuel Kenady	Pennsylvania.	Louis C. Wilworth	Rhode Island.
Samuel Foy	New York	Henry D. Huggins	Ohio
Ebenezer Diebrow	Ohio	John F. Taber	Massachusetts
Turner Sampson	Maine	Rufus H. Waterman	Ohio
Joseph N. Nance	Massachusetts	Calvin Adams	Missouri
Samuel Tay	Maine	William Gentry	..do.
Samuel N. Wood	Ohio	William Yates	Illinois
John Doy	New York	Nathan F. Herrick	Maine
Alphonzo Jones	Massachusetts	Nathan Herrick	..do.
Owen T. Barrett	..do.	James D. Poage	Missouri
Joseph H. Pillsbury	N. Hampshire.	Leonard G. Higgins	Massachusetts
Sidney B. Dudley	Massachusetts	George W. Kent	Wisconsin ..
Stillman Andrews	N. Hampshire	Increase Whitcomb	..do.
Wilder Bright	Massachusetts	George S. Leonard	Massachusetts
Edward F. Knight	..do.	George Chapman	Wisconsin ..
Alexander Knight	..do.	William Keller	Pennsylvania.
Ephraim H. Bennett	Massachusetts	James P. Carol	Virginia
C. Howard Carpenter	Vermont	William Carol	..do.
Alvin B. Bronson	Connecticut ..	Joshua Puckett	..do.
Henry W. Feck	New York	William Mathews	Illinois
Stephen H. Folsom	Massachusetts	Jonathan Mathews	..do.
William Warnicker	New York	John N. Powell	Iowa
William Ketchingman	..do.	William Tipton	..do.
William A. Holmes	..do.	Henry H. Carol	Virginia
John C. Mossman	Ohio	William Hale	..do.
James B. Abbott	Massachusetts	Simartin V. Harnsby	Missouri
Ellis Bond	Indiana	Franklin Harnsby	..do.
Philip Cook	..do.	Frederick Spring	Pennsylvania.
Jerry Whitson	Maine	William R. Lee	..do.
Josiah Smith	New York	John Anderson	..do.
John Smith	..do.	Thomas Anderson	..do.
Henry Smith	..do.	Hamer Hayes	Illinois
Robert Banks	Massachusetts	Samuel Anderson	..do.
Michael R. Albin	Wisconsin ..	Thomas S. Garvin	..do.
George Gilbert	..do.	Robert Garvin	..do.
George Holt	Connecticut ..	Flemmon Bridges	..do.
Solomon Wilder	Massachusetts	Elijah Purdom	Missouri
Stafford J. Pratt	..do.	Thomas Murray	Kentucky
James W. Harrison	Missouri	David S. Wallner	Iowa
Daniel P. Hadley	N. Hampshire	Hiram Crane	..do.
Alfred J. Payne	Ohio	Samuel S. Hanan	..do.
Edward Winslow	Massachusetts	William Bridges	Illinois
Samuel Johnson	..do.	David Burton	Missouri
Adolf B. Wade	Missouri	Clarkson M. Wallace	Iowa
William H. Oliver	..do.	Archilius Smith	Illinois
Daniel Sayer	Pennsylvania.	John G. McClelland	Missouri
Martial M. Hammon	..do.	Robert McFarland	Pennsylvania.
John H. Dean	Massachusetts	John McFarland	..do.
Zeno B. Page	Pennsylvania.	Thomas McFarland	..do.
John F. Wilson	Kentucky	Isom E. Taylor	Illinois
John S. Hopper	..do.	Jardon Neil	..do.
Simon Hopper	..do.	Moses Taylor	..do.
Benjamin F. Hopper	..do.	John A. Chaffers	Iowa
David R. Hopper	..do.	Rhodes Tipton	..do.
Napoleon D. Stuart	Missouri	Jerrett Tipton	..do.
Theodore Benjamin	Kentucky	David Purmton	Missouri
Levy Gates, Jr.	Massachusetts	Ranson Colkin	New York ..
Anson H. Mallory	..do.	Jeremiah Spencer	..do.
Ira M. Jones	Vermont	Robert Allen	Missouri
John H. Fernan	Pennsylvania.	John Stewart	..do.
George H. Hutchinson	Vermont	Samuel Stewart	..do.
Simon Cook	N. Hampshire	William Randolph	..do.
James A. Davidson	Missouri	William Lyon	Ohio
C. W. Babcock	Minnesota ..	Newman Garwood	..do.

FIRST DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
John H. Lyon	Ohio	John C. Davidson	Missouri
Joseph D. Barnes	Pennsylvania	Joseph Eberhart	Pennsylvania
Frederick Roff	Illinois	Henry Eberhart	do.
Thomas B. Wells	New York	Louis J. Eberhart	do.
Willard Canbhorn	Massachusetts	James H. Reed	Missouri
Peter Crockett	Missouri	Mathew B. Hightower	do.
Andrew J. Crockett	do.	Benjamin F. McDonnell	do.
Bryce Miller	Indiana	Henry C. Sebastian	do.
Thomas J. Farrell	Missouri	Alexander Sebastian	do.
Levi Ferguson	do.	Robert Wilkinson	Illinois
A. E. Colman	Massachusetts	John Morehead	Iowa
Thomas P. Bond	do.	William Turner	Illinois
Delano Curlew	Missouri	John Parott	Kentucky
Nathaniel B. Lewis	do.	Jackson Sellers	Illinois
Clark S. Crane	do.	David Mencham	Ohio
Robert A. Cummins	do.	Edward B. Johnston	Illinois
Lucas Curlew	do.	Job Vanwinkle	do.
William H. Eagon	Ohio	Fitzhugh Collins	Missouri
John M. Eagon	do.	Charles Lank	Illinois
Samuel M. Salters	Missouri	Thomas D. Waller	Kentucky
Napoleon B. Harston	do.	Henry F. Sanders	Massachusetts
John Curtis	Indiana	Thomas J. Stone	do.
Arnab. Seducke	Missouri	Stephen Ogden	do.
William Whitlock	do.	Jonathan Ogden	do.
Henry Rinale	Indiana	Charles Jordan	do.
Joseph Hutchinson	Illinois	Amasa Soloe	do.
John Hutchinson	do.	Amasa Pettingill	Maine
James Whitlock	Missouri	Hugh Pettingill	do.
Phillip T. Hupp	Ohio	Thomas B. Smith	Connecticut
Joel K. Goodwin	do.	Enoch Hobart	Maine
Carlous M. Day	New York	Solomon Lapham	do.
Ezekiel Beirus	Ohio	John E. Stewart	N. Hampshire
George Long	do.	John B. Nichols	Massachusetts
Robert J. Wolfe	Missouri	Allen B. H. McGee	Missouri
James Curlew	do.	Edmond Ryerley	Pennsylvania
Lyman D. Hubbard	New York	James A. Jackson	Mississippi
Harrison Nichols	Pennsylvania	Chris. C. Furgison	Ohio
Samuel G. Johnson	Massachusetts	George Lewis	do.
Albert F. Brecker	Ohio	Edward H. Lewis	do.
Sylvester H. Davis	Missouri	James W. Elbert	Virginia
Rice Mattingly	do.	John Keiser	do.
Thomas McFee	Kentucky	John O. Talbot	do.
Cuthbert McFee	do.	James W. Gaddion	do.
Reuben McFee	do.	James H. Crooks	Kentucky
William Curry	do.	John H. Lewis	Ohio
Charles M. White	Indiana	John S. Perkival	do.
A. Cronoe	Missouri	John B. Farman	Massachusetts
Jacob Brunson	Indiana	Joseph M. Russell	Iowa
Joshua Cummins	Missouri	McGlenn	do.
John M. Banks	Pennsylvania	William Wallace	do.
George Graves	Iowa	Henry Reed	Ohio
Ben Johnson	Missouri	Hiram Crane	Iowa
Nathaniel D. Johnson	Ohio	S. N. Simpson	Vermont
Thomas Emery	Missouri	F. A. Bailey	Massachusetts
Lucius Kibber	Iowa	John Fry	Ohio
Robert Pierson	Pennsylvania	H. A. Hancock	Massachusetts
Maxwell Sarley	Missouri	Abraham Still	Missouri
Richard Pierson	Pennsylvania	James M. Still	do.
David Eldridge	Wisconsin	Jonathan Morgan	Massachusetts
Thomas Hopkins	Missouri	Howland Edward	do.
Harrison Budily	do.	E. Howland	do.
Thomas Bruze	do.		
Samuel Hyde	do.		

SECOND DISTRICT.

List of voters of the second election district of Kansas Territory, according to the census returns taken by O. H. Broune in the months of January and February, A. D. 1855.

Names.	Where from.	Names.	Where from.
Paris Ellison.....	Missouri	Isaac Shoop.....	Ohio.....
Absalom St. Davis.....	do.....	Albert Yates.....	Missouri.....
George W. Johnson.....	Virginia	Kinsey Lanun.....	do.....
Jonathan Crummer.....	Missouri	William Justice.....	do.....
Levi Orvins.....	do.....	James M. Dunn.....	Maine.....
M. Somers.....	do.....	John C. Dunn.....	do.....
Henry White.....	Virginia	George W. Ward.....	Missouri.....
B. Callaghan.....	Missouri	Henry Alderman.....	Illinois.....
Edwin Marcy.....	Indiana	George Sturbridge.....	New York.....
Claude M. Michier.....	Virginia	Carlos Hall.....	Ohio.....
Joseph A. Smith.....	do.....	Francis Wright.....	Massachusetts.....
George W. Clarke.....	Arkansas	James W. Heix.....	Missouri.....
Rufus P. Doke.....	do.....	A. J. Howland.....	do.....
C. R. Hillman.....	Pennsylvania	William Johnson.....	Tennessee.....
William Daner.....	Illinois	James Shaw.....	do.....
Fleming Hatton.....	Missouri	G. W. Riddle.....	do.....
Willis S. Warder.....	do.....	do..... Lewis.....	New York.....
John M. Smith.....	do.....	John W. Chamberlin.....	Missouri.....
Augustine Smith.....	do.....	J. S. Parker.....	Kentucky.....
Beverly Gentry.....	do.....	William K. Ruddall.....	Illinois.....
Richard Miller.....	Indiana	R. W. Custard.....	Pennsylvania.....
David R. Hopper.....	Kentucky	A. J. Custard.....	do.....
Robert Hughes.....	Iowa	William M. Harper.....	Missouri.....
Orange Howard.....	Missouri	Frederick Cook.....	do.....
K. J. Marchison.....	do.....	D. H. Heindricks.....	do.....
John Hockler.....	do.....	Samuel Cosebier.....	Iowa.....
Tipton Robinson.....	do.....	Luther O. Sprudling.....	Illinois.....
David Dickey.....	do.....	William Jacket.....	do.....
James H. Harrison.....	do.....	Nathaniel S. Ramsey.....	do.....
W. W. Randolph.....	do.....	Harrison Burson.....	do.....
Ephraim Conner.....	Illinois	Nicholas Allgain.....	do.....
William W. Hall.....	Massachusetts	William H. Wood.....	Iowa.....
Henry Muzze.....	do.....	Henry C. Alderman.....	Illinois.....
Charles Smith.....	do.....	John Archibald.....	Massachusetts.....
William Hood.....	Maine	Ebenezer Archibald.....	do.....
F. A. Bailey.....	Massachusetts	do..... Albin.....	Wisconsin.....
Henry H. Conner.....	Illinois	William Jesse.....	Illinois.....
Francis Barker.....	Massachusetts	Andrew White.....	Missouri.....
Mathew Hall.....	New York	James S. White.....	do.....
John Hall.....	do.....	Absalom White.....	do.....
James Turner.....	Missouri	E. G. Macey.....	Ohio.....
Samuel Jones.....	do.....	John Wilter.....	do.....
Green Swezer.....	do.....	David Cosebier.....	Iowa.....
Joseph Vance.....	do.....	Daniel Vaniel.....	do.....
Milon Gronb.....	Massachusetts	Isaac Davis.....	Illinois.....
F. A. Muzzy.....	do.....	Jonathan C. Cosebier.....	Iowa.....
F. C. Muzzy.....	do.....	Abraham Hendricks.....	Missouri.....
Owen Taylor.....	do.....	James Hendricks.....	do.....
John A. Wakefield, jr.....	Iowa	Enoch Reed.....	do.....
Nicholas Snyder.....	New Jersey	James Reed.....	do.....
H. S. McClelland.....	Iowa	Littleton Reed.....	do.....
David Conner.....	Massachusetts	D. S. Howe.....	do.....
Henry B. Lacey.....	Missouri	William M. Davis.....	do.....
Thomas Henry.....	Ohio	George W. Brians.....	do.....
John B. Nicholas.....	Massachusetts	A. B. Collett.....	do.....
Townsend Lahay.....	Missouri	John F. Russell.....	do.....
F. E. Lahay.....	do.....	William H. Russell.....	do.....
John D. Lahay.....	do.....	Fields Bledsoe.....	do.....

SECOND DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
George Rhodes	Missouri	Devos Todhunter	Missouri
John Campbell	Kentucky	Amanns Todhunter	do.
James Campbell	do.	William H. May	New York
Thomas Overfield	Massachusetts	Jarred Carter	do.
William Ferguson	do.	John Mason	Missouri
Joseph Lovelace	Illinois	George W. Lynn	do.
John Carroll	Missouri	John D. Hopkins	Indiana
Jacob H. Brown	do.	Moses McCall	Missouri
Drury Fletcher	do.	James Kutes	do.
Charles Matingly	Tennessee	R. W. Dummer	Illinois
Madison Rule	Missouri	Caleb Cotrell	do.
James Evans	do.	John G. McClaughan	Missouri
Robert Callue	do.	Thomas Barnett	do.
James Powell	do.	Westley Garrett	do.
John Bailey	Kentucky	William Shirley	do.
Madison Kincade	do.	Jonathan Prather	do.
J. S. Baron	Missouri	Thomas Simmons	do.
John O. Talbot	do.	Wm. R. Simmons	do.
John Kisor	Tennessee	Nehemiah Dorrell	do.
John O. Talbot	Ohio	Grant Spurlock	do.
C. Ferguson	Tennessee	— Endiott	do.
J. W. Goodwin	Missouri	E. H. Hastings	Pennsylvania
L. M. Oliver	Tennessee	Thomas McConn	Virginia
John H. Lewis	Ohio	Shipman Winter	do.
E. M. Kisor	Georgia	Andrew McDonald	do.
James Sullivan	New Mexico	Win. C. Roberts	Arkansas
James W. Eled	Kentucky	John H. Roberts	do.
A. J. Corbit	do.	W. H. Blackburn	do.
Joel Montgomery	Missouri	Emily Cline	Indiana
Thomas Husley	do.	Joseph Lewis	Missouri
Lafayette Barret	do.	Thomas M. Rogers	do.
Henry A. Callue	do.	Thomas B. Wisdom	do.
S. J. Wafal	do.	A. Roderique	Pennsylvania
G. W. Gars	do.	Samuel J. Jones	Virginia
Evan Todhunter	do.	L. W. Hendricks	Arkansas
John Todhunter	do.	James R. Davis	Missouri
Valentine Todhunter	do.	A. J. Buck	do.
Samuel Hufaker	do.	Peter Wendell	do.
Martin Pahner	do.	John Howard	do.
James Williams	do.	Thomas Phillips	do.
William Douglas	do.	O. H. Browne	do.
Thomas Todhunter	do.		

List of settlers on the Kansas half-breed lands opposite Douglas city, as enumerated by O. H. Browne.

Names.	Names.
Alexander Bayno	Harvey Miller
A. J. Smith	George Gray
William F. Bayne	Dudley Plummer
S. H. Plummer	Jonathan Smoot
Dudley Foley	George Williams
James Scaggs	Samuel P. Jilton
Thomas Scaggs	

THIRD DISTRICT.

List of voters of the third election district of the Territory of Kansas, according to the census returns made by Thornton W. Hays, esq., taken during the months of January and February, A. D. 1855.

Names.	Where from.	Names.	Where from.
John Horner.....	Virginia.....	W. C. Pickeral.....	Ohio.....
L. B. Statelyn.....	Kentucky.....	Jacob B. Chaise.....	Massachusetts
Morlamer Gilbert.....	New York.....	Charles Larnsworth.....	..do.....
Delmalen Ferrel.....	Kentucky.....	C. O. Nicholas.....	Pennsylvania.
William A. M. Vaughan.....	Virginia.....	Elamere Shetter.....	Missouri.....
James M. Herrin.....	England.....	Thomas D. Parkerson.....	Pennsylvania.
Jesse Mitchner.....	Ohio.....	William Godard.....	Tennessee...
Duke W. Hunter.....	Missouri.....	J. R. Warren.....	Kentucky....
Thomas N. Stinson.....	Ohio.....	James McConnell.....	Missouri.....
Jihial Tyler.....	New York.....	Robert H. Matthews.....	New York....
Horatio Cox.....	Kentucky.....	Francis Grassmuck.....	Germany.....
Rubin Low.....	Virginia.....	William R. Boggs.....	Missouri.....
Fedrick Waltman.....	Germany.....	Jerome W. Boles.....	Massachusetts
Stephen Scott.....	Indiana.....	J. P. C. Bouche.....	Pennsylvania.
Christopher Coplin.....	Missouri.....	James S. Piles.....	Virginia.....
Joseph West.....	..do.....	James S. Small.....	Kentucky....
Andrew J. Kelley.....	Ohio.....	Hiram Dawson.....	..do.....
Eli D. Stilson.....	Massachusetts	John Piles.....	Virginia.....
W. A. Sublett.....	Maryland....	Charles H. Borzard.....	..do.....
M. J. Mitchell.....	Ohio.....	William D. Owen.....	Kentucky....
Charles Jordan.....	Virginia.....	F. A. Wentworth.....	Ohio.....
Osborn Nailer.....	Illinois.....	Charles Matney.....	Virginia.....
R. A. Edwards.....	..do.....	Daniel Turner.....	Georgia.....
Isaac M. Edwards.....	..do.....	A. P. Turner.....	Alabama.....
Peter Belonza.....	Canada.....	William H. Turner.....	..do.....
Belbord Gilbert.....	France.....	William Matney, jr.....	Virginia.....
C. K. Holladay.....	Pennsylvania.	James H. Harden.....	..do.....
Peter N. Main.....	Connecticut..	Solomon Coker.....	Missouri.....
W. C. Liniker.....	England.....	William A. Simmerville..	Michigan....
E. Chase.....	Massachusetts	Jones Lacking.....	Indiana.....
Edwin S. Dereter.....	Maine.....	Linsus T. Cook.....	Missouri.....
H. B. Burgess.....	New York....	James R. Morhan.....	Tennessee...
John All.....	Maine.....	William F. Johnson.....	Pennsylvania.
Abel Hatwell.....	Massachusetts	William Dailey.....	Indiana.....
J. Tegart.....	Ohio.....	John W. Brown.....	Ohio.....
H. L. Roat.....	Massachusetts	James R. Wisstan.....	Virginia.....
Charles V. Gray.....	Maine.....	Alfred Byler.....	Tennessee...
T. J. Case.....	Pennsylvania.	John Taylin.....	Missouri.....
Timothy McIntire.....	N. Hampshire	Richard Cox.....	..do.....
Jones C. Greenwood.....	Massachusetts	Peter Croco.....	Ohio.....
Thomas G. Thornton.....	Maine.....	H. N. Watts.....	Illinois.....
Daniel H. Houne.....	N. Hampshire	T. J. Wells.....	Pennsylvania.
Milton C. Dickey.....	..do.....	John Long.....	..do.....
M. C. Drinkwater.....	Pennsylvania.	H. J. Strickler.....	Virginia.....
A. A. Ward.....	..do.....	Jerre Newcum.....	Illinois.....
S. A. Clark.....	N. Hampshire	S. W. Hays.....	Kentucky....
Phillip Briggs.....	Vermont.....		

FOURTH DISTRICT.

List of voters of the fourth election district of the Territory of Kansas, according to census returns made by C. B. Donaldson, taken during the months of January and February, 1855.

Names.	Where from.	Names.	Where from.
R. Hackett.....	Illinois.....	W. S. Ewart.....	Ohio.....
A. F. Powell.....	Tennessee.....	D. Pultz.....	Missouri.....
P. Bagsinger.....	Iowa.....	J. B. Davis.....	Georgia.....
E. H. Bagsinger.....	do.....	D. J. Keser.....	Missouri.....
L. Farley.....	do.....	G. Y. Keser.....	do.....
E. S. Cooke.....	Mississippi.....	J. M. Bernard.....	do.....
F. M. Coleman.....	Missouri.....	J. D. Skidmore.....	do.....
A. B. Gilliland.....	Illinois.....	W. M. Harris.....	do.....
J. Keren.....	Missouri.....	J. F. Javens.....	do.....
A. J. Miller.....	Illinois.....	P. Fuller.....	Illinois.....
J. S. Edie.....	do.....	S. Workman.....	do.....
J. E. Carpenter.....	do.....	J. C. Hughes.....	Missouri.....
A. F. L. Bisbee.....	New York.....	C. Clark.....	do.....
D. Hendricks.....	Missouri.....	C. Harmony.....	do.....
E. W. Moore.....	Indiana.....	Y. Doty.....	Illinois.....
S. H. Moore.....	do.....	F. Barnes.....	Missouri.....
J. Wilson.....	New York.....	M. Carter.....	do.....
R. Mayfield.....	Illinois.....	A. Dale.....	do.....
C. Mayfield.....	do.....	A. C. Tomberlin.....	Illinois.....
R. Young.....	Virginia.....	A. Dean.....	Pennsylvania.....
J. Chapman.....	Indiana.....	A. Williams.....	Missouri.....
A. Haunah.....	do.....	Y. Veach.....	Ohio.....
J. H. Lochridge.....	Missouri.....	H. Lowery.....	Arkansas.....
S. Newhucy.....	Illinois.....		

FIFTH DISTRICT.

List of voters of the fifth district of the Territory of Kansas, according to the census returns taken by William Barbee, in the months of January and February, 1855.

Names.	Where from.	Names.	Where from.
James P. Fox.....	Missouri.....	David Casteel.....	Missouri.....
John Medlin.....	do.....	Wm. Landen.....	do.....
Lemuel Medlin.....	do.....	Thos. Heath.....	do.....
Abram Medlin.....	do.....	Alexander James.....	do.....
Wm. Medlin.....	do.....	F. A. Hamilton.....	do.....
Wilson Medlin.....	do.....	Isaac Bledsoe.....	do.....
Rob't Brady.....	do.....	John H. Dervint.....	do.....
Francis Marion.....	do.....	G. R. Sands.....	do.....
Benj. Ford.....	do.....	Benj. G. Lynch.....	Arkansas.....
David C. Finley.....	Tennessee.....	G. B. Donell.....	Missouri.....
Clayton Ellis.....	Missouri.....	Thos. Donell.....	do.....
Gwin Ray.....	do.....	Julius Hausbrangh.....	do.....
John Rese.....	do.....	Hiram Beckett.....	do.....
Sam'l Dillon.....	do.....	John A. Beckett.....	do.....
James Lucenson.....	do.....	Wm. J. Hensley.....	do.....
John H. Tate.....	do.....	Jas. Walker.....	do.....
Wm. Turner.....	do.....	Sam'l Nichols.....	do.....
Middleton Hensley.....	do.....	Calvin Ford.....	do.....

FIFTH DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
Embrey Nelson	Missouri	Aaron Thompson	Kentucky
Levi Ward	Illinois	Barry Richardson	Missouri
Wyley Atkins	do.	Jasper Dingen	do.
Charles Polk	Missouri	Joseph Oshen	Illinois
Thos. Folk	do.	Isaac Stollon	do.
Sam'l Brown	do.	William Murray	Missouri
Sam'l Stanton	do.	Joseph Howard	do.
John Bordenmast.	Illinois	Zacharia Roe	do.
Jas. Roberts	Missouri	Benjamin Bunch	do.
Jas. W. Carmon	do.	Leander Fawts	do.
Andrew Tyler	do.	Elisha Tucker	do.
Finneas T. Glover	do.	John E. Brown	do.
Evan Evans	Kentucky	Robert Hargrave	do.
Jos. Adams	do.	Reuben E. Noel	do.
Solomon Adams	Missouri	Henry Littlejohn	do.
Thos. Sears	do.	Jonah Daniel	do.
Andrew Owens	do.	Renben Daniel	Illinois
Wm. Park	do.	William Daniel	do.
D. F. Park	do.	John Steel	Missouri
Sam'l Covey	do.	John Broils	Illinois
John Esteys	do.	John Robinson	Maryland
Isaac Churk	do.	Forgus Graham	do.
David Bunch	do.	John Dunigan	Missouri
Ambers Resly	do.	Moses Dunigan	do.
Benj. F. Ford	do.	Joseph Gassway	do.
Benj. F. Thompson	Tennessee	Ingram Lusk	do.
Carlaven Taggart	do.	William Moore	do.
Josiah P. Ford	do.	William Field	do.
Hugh L. W. Reagan	do.	Mr. Hill	do.
Jno. Hudleston	Illinois	John Par	do.
Thos. Reason	do.	Brisco Davis	do.
Hiram Hondeshell	do.	David Dehoney	do.
Caleb W. Hargis	Missouri	Hickman Smith	do.
John W. Jameson	do.	Benjamin Crabtree	Illinois
Henry Eidsen	do.	Joseph Sanders	Missouri
Garret J. W. Holland	Illinois	William Cash	Illinois
Nathan L. Lamarr	Tennessee	James Fox	Missouri
John W. Elliott	Missouri	D. S. Ragan	do.
Jas. Lamarr	Tennessee	Lewis Elliott	do.
Jas. G. Ray	Missouri	William Driskell	do.
Wm. Doolin	do.	George Mallox	do.
Chas. Wagoner	do.	Clabron Burnett	do.
Henry Miller	Texas	L. M. Love	do.
Geo. T. Stein	Missouri	Richard Graves	do.
Jos. Montgomery	S. Carolina	Joseph Everhart	do.
Adam Poore	Iowa	William Sparkman	do.
Allen Stewart	Missouri	William Goodwin	do.
John R. Driskell	do.	Henry McKinney	do.
Thos. J. Duncan	do.	James Dudley	do.
William Hobson	Illinois	Lewis Thomas	do.
Hardin Goodall	do.	John Wike	do.
E. H. Hutchings	do.	William Surman	do.
Jackson Long	Missouri	William Stephens	do.
Harrison Smith	do.	William Ring	do.
Wm. R. Perry	Illinois	Alfred Smith	do.
Wm. Pike	do.	Josiah Daniels	do.
Jas. Winchester	do.	Joseph E. Watkins	do.
Wm. Bager	do.	Robert M. Daniels	do.
Fonts Alexander	Iowa or Mo	Jesse Sears	do.
Jas. B. Roach	Missouri	James Daniel	do.
Clifton Ellis	do.	"Robert Rose Braugh"	do.
John A. Wakefield	Illinois	William Skidwell	do.
W. B. Williams	Missouri	William C. Kirk	do.
Nichols Nisinger	do.	Robert Cottle	Kentucky

FIFTH DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
William Riel.....	Illinois	John Vanhorn.....	Missouri.....
Henderson Rice.....	do.	H. Endricks.....	Iowa.....
John Shoemaker.....	Holland.	Samuel Glen.....	do.
Mahlon Morris.....	Ohio	John Freeburt.....	Ohio
William S. Fergusson.....	Virginia	Eli Miller.....	Iowa
James Grant.....	New York	Thomas Hurston.....	do.
John T. Grant.....	do.	M. Wood.....	Illinois
James W. Greer.....	Missouri.	O. C. Brown.....	New York
John G. Morse.....	do.	John Whirl.....	Illinois
Peter Carns.....	Ohio	James Goodwin.....	Ohio
William Sherman.....	do.	David Hall.....	Iowa
Henry Sherman.....	do.	John Manes.....	Illinois
Jonathan Wightman.....	Virginia	James Scott.....	Indiana
Peter Shearman.....	do.	John Bradbury.....	Missouri.
Freeman Austin.....	Pennsylvania.	James Bradbury.....	do.
Adam Carnes.....	Ohio	Porter Glen.....	Iowa
Joseph W. Morrey.....	New York	Jesse Glen.....	do.
Joseph H. Morrey.....	do.	Cyrus Shaw.....	Indiana
Allen Wilkerson.....	Tennessee	Noel Shaw.....	do.
Dennis West.....	do.	Hiram Hanes.....	do.
Elder Barnolly.....	Missouri	Josiah H. Danson.....	Missouri.
Richard Golden.....	do.	Benjamin C. Adkins.....	do.
Washington Jones.....	Iowa	James Adkins.....	do.
Theodore Jones.....	New York	Bloomer White.....	do.
George Patridge.....	Wisconsin	Thomas McAbays.....	do.
M. Patridge.....	do.	William H. Findley.....	Tennessee
Thomas Stolen.....	Missouri	Henry Gillespie.....	Missouri.
Robert R. Stergeon.....	Virginia	Henry D. Parsons.....	do.
Robert Long.....	Missouri	James Parson.....	do.
Francis Myers.....	do.	James H. Burkhardt.....	Michigan
Valentine Ganarva.....	do.	Bandan Cordam.....	Texas
Jonathan S. Huff.....	do.	Asher P. Wyckoff.....	Illinois
John Witzong.....	do.	Fenton M. Bagley.....	do.
Peter Johnston.....	do.	James Walker.....	do.
Joseph W. Grass.....	Illinois	Henry Younger.....	do.
W. A. Baxter.....	do.	John Hilton.....	do.
John A. Eberhart.....	Indiana	John Evans.....	do.
Jeremiah Buffington.....	Illinois	Milton Hampton.....	Missouri.
Albert Woodson.....	Missouri.	Thomas H. Brown.....	do.
Chester G. Grant.....	Vermont.	C. S. Fleming.....	do.
Samuel H. Houser.....	Ohio	John D. Fleming.....	do.
James W. Houser.....	do.	David F. Fleming.....	do.
Andrew B. Jackson.....	Indiana	Samuel Fleming.....	do.
Curtis Jackson.....	do.	James Fleming.....	do.
Edwin Fairbrother.....	New York	James W. Cox.....	do.
John Carr.....	do.	Francis Lahardie.....	Michigan
Joseph Stotts.....	Indiana	James W. Felce.....	do.
John Lerpel.....	New York	B. B. Taylor.....	Ohio
Thomas Hitchens.....	do.	Joseph Brian.....	Kentucky
Robert A. Toby.....	do.	William Brian.....	do.
James D. Swift.....	do.	Robert Brian.....	do.
Noah W. Round.....	Indiana	William H. Stanford.....	Missouri
Lewis J. Wilson.....	do.	Ephraim Kincaide.....	do.
John Rose.....	do.	Joseph Hogans.....	do.
William C. Melvin.....	do.	Joseph W. Gayhart.....	Indiana
William Chesnut.....	Connecticut	Barnet Hall.....	Missouri
Morgan Crokhyte.....	New York	Thomas Wilburn.....	do.
George Ferris.....	do.	William Ferrill.....	Kentucky
William Childers.....	Missouri	William Snider.....	do.
James L. Childers.....	do.	George R. Yocum.....	do.
George Bradbury.....	do.	G. Dunn.....	do.
William Gadling.....	do.	John Yocum.....	do.
John Troy.....	Iowa	Andrew Cary.....	do.
William Lomis.....	Indiana	Madison Marshal.....	do.

FIFTH DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
Hiram Benington.....	Kentucky....	Thomas Williams.....	Missouri.....
Hiram T. Tharpe.....	New York....	William Mobley.....	Indiana.....
H. S. Randall.....	Missouri.....	James O. Parker.....	Missouri.....
O. F. Cleveland.....	Georgia.....	Peter J. Potts.....	Indiana.....
Jacob Erley.....	Tennessee....	John H. Arbuttee.....	Missouri.....
Alfred Law.....	Missouri.....	Isaac Jacob.....	do.....
Jacob Barker.....	Indiana.....	Isaac S. Hartman.....	do.....
Josiah Smoot.....	Iowa.....	William A. Haskel.....	Virginia.....
B. H. Ames.....	Missouri.....	David Lykins.....	Missouri.....
Calvin Randall.....	do.....	Benazh. B. Campbell.....	Michigan.....
S. M. Hayes.....	do.....	William Clark.....	Indiana.....
John H. Whistler.....	do.....	Jeremiah Farmer.....	Missouri.....
Robert A. Ring.....	Illinois.....	John A. Hix.....	do.....
Marcus C. Rose.....	Pennsylvania..	William Jones.....	do.....
John B. Scott.....	Iowa.....	Stephen White.....	do.....
John W. Vickery.....	do.....	John Buts.....	do.....
Aaron Case.....	Missouri.....	Henry L. Lyon.....	do.....
Thomas Crabtree.....	Iowa.....	John O. McDaniel.....	do.....
Frederick Croxall.....	Illinois.....	James Beets.....	do.....
John A. Crocuell.....	do.....	Peter J. Potts.....	do.....
J. M. Train.....	Ohio.....	John Jackson.....	do.....
Thomas Semple.....	Arkansas.....	Daniel L. Percy.....	Indiana.....
Philip Anderson.....	Missouri.....	Thomas Cummings.....	Rhode Island..
John Bledsoe.....	do.....	William Jacob.....	do.....
John Shannon.....	do.....	Joseph E. Tindall.....	Missouri.....
John Hicklan.....	do.....	Marcus Gill.....	do.....
Philip Ball.....	do.....	Lott Coffman.....	do.....
Simpson A. Lenrick.....	Massachusetts..	J. W. Parks.....	do.....
William Walter.....	Virginia.....	Dudley G. Hansbrough.....	Michigan.....
P. C. Poole.....	Missouri.....	William H. Findley.....	do.....
H. Z. Tunnel.....	Tennessee....	William L. Harris.....	Missouri.....
G. P. Gordon.....	N. Carolina....	Francis J. Agnew.....	do.....
Stephen Catling.....	Iowa.....	William Jackson.....	do.....
G. H. Gordon.....	Missouri.....	Henry Davidson.....	do.....
M. B. Lankford.....	do.....	Joseph Good.....	Missouri.....
Allen Nichols.....	Kentucky.....	William A. Austin.....	do.....
A. H. Logan.....	do.....	Joseph Black.....	do.....
B. A. Drydale.....	do.....	Shade Halcum.....	do.....
James H. Waldron.....	do.....	Silas R. Jackson.....	do.....
James Reese.....	Tennessee....	Isaac P. Jackson.....	do.....
Washington Cooper.....	do.....	Henry France.....	do.....
Thomas Graves.....	New York.....	James Holloway.....	do.....
R. A. Barnett.....	Maine.....	Joseph B. Goodwin.....	do.....
John Tuckerman.....	Tennessee....	Amos H. Goodwin.....	do.....
Nathan Corder.....	Virginia.....	Francis P. Levine.....	do.....
Eweing Baker.....	Connecticut....	John H. Cleaton.....	do.....
James Goodwin.....	Ohio.....	Robert Freaks.....	do.....
John C. Clark.....	Indiana.....	Perry Freaks.....	do.....
John W. Walker.....	Iowa.....	William Hunt.....	do.....
Samuel Warren.....	Illinois.....	John W. Freaks.....	do.....
Charles A. Brown.....	do.....	William Shugars.....	do.....
John A. Jackson.....	Pennsylvania..	Robert E. Spotwood.....	do.....
B. G. Steel.....	Illinois.....	John Robinson.....	do.....
John Holiday.....	Massachusetts..	William Wires.....	do.....
Jacob Hicklin.....	Vermont.....	Henry Devillars.....	New York.....
Cleveland Scott.....	Wisconsin.....	John W. Lewis.....	Virginia.....
W. C. Barnes.....	Ohio.....	William Thomas.....	Missouri.....
William Mainord.....	Tennessee....	Hiram Stephens.....	do.....
John Stergeon.....	Missouri.....	Marion P. Jackson.....	do.....
Eli Moore.....	New York.....	John M. Keeton.....	do.....
Richard D. Richardville.....	Indiana.....	Samuel L. Ring.....	do.....
William Honeywell.....	New York.....	Champion Reesley.....	do.....
Joseph B. Bourdon.....	Indiana.....	William S. Gregory.....	do.....
Lewis Gebeaux.....	do.....	James Wade.....	do.....

FIFTH DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
Harris Jackson.....	Missouri	Samuel Wade.....	Missouri
Ennis McDaniel.....	do.....	Henry Bunner.....	do.....
James S. Kags.....	do.....	John Jackson, jr.....	do.....
Jesse R. McDaniel	do.....	Thomas McAvery.....	Ireland
William R. Jones.....	do.....	Edmund L. Trygle	Missouri
John R. McDaniel.....	do.....	John C. Brooks.....	do.....

SIXTH DISTRICT.

List of voters of the sixth district of the Territory of Kansas, according to the census returns taken by William Barbee in the months of January and February, 1855.

Names.	Where from	Names	Where from.
Jacob Miller.....	Missouri	Michael McCann.....	Maine
John Brown	do.....	Mathew Cellars.....	Missouri
John Barnes	do.....	Samuel Bearer.....	do.....
Joseph Alexander	do.....	Noah W. Bennett.....	do.....
William Alexander.....	do.....	Hir. T. Wilson.....	do.....
William Weaver	do.....	Thomas B. Arnett.....	do.....
Nathan Arnett.....	do.....	William Margrave	do.....
James Arnett.....	do.....	William Watkins.....	Kentucky....
Isaac Mills.....	do.....	Henry Watkins.....	do.....
Thomas Sumers	do.....	F. Deivent.....	do.....
William Painter.....	do.....	P. D. Cummings	Tennessee ..
John Brown	Ohio	Pinlander S. Moore.....	Missouri
William Griffith	Pennsylvania.	Jefferson Coapstan.....	Illinois
David Gathley	do.....	Emory B. Cook	do.....
Joab Shambles.....	Indiana.....	George Simons.....	Missouri
G. J. Endicott.....	Missouri	A. Ward.....	Illinois
John Culton	do.....	William Eakin.....	do.....
John Hix.....	do.....	Richard Beth.....	Pennsylvania.
Henry Snider.....	do.....	William Randolph	do.....
Jacob Snider.....	do.....	Jesse Ray.....	Tennessee ..
Aaron W. Snider	do.....	James Howell.....	Illinois
John N. Minor.....	do.....	Enoch Wilson	do.....
Miles Fleetwood.....	do.....	Jesse Coapland	do.....
Isaac Fleetwood.....	do.....	Mathew Kirk.....	do.....
Reuben Fleetwood.....	do.....	James M. Chany	New York
John Finch.....	Illinois	James Upton.....	Missouri
Porter Davis.....	do.....	Thomas Pickeral	do.....
William Barbee.....	do.....	James Pickeral.....	do.....
John A. Barbee.....	do.....	Henry Sumk.....	New York
Stephen Heard.....	do.....	Charles Mitchell	Missouri
James Heard.....	do.....	Samuel Moore	do.....
Charles Heard.....	do.....	Joel Cathing.....	Iowa
Lewis Broils.....	do.....	J. C. Anderson.....	New York
Benjamin F. Wilkerson.....	do.....	James Waldron.....	Ohio
John B. Smith	do.....	John R. Wood.....	Tennessee ..
Francis York.....	do.....	Geo. W. Renuick.....	Indiana.....
George York.....	do.....	Robert T. Reding.....	Iowa
William Young.....	do.....	George Roker.....	do.....
Wyle Patterson.....	Arkansas.....	Joseph M. Sharp.....	Kentucky....
A. H. Horton.....	do.....	Charles Milam.....	Wisconsin....
John A. McCoy.....	Illinois	Daniel F. Buckhart.....	Ohio
John W. Denton.....	Kentucky....	James M. Linn.....	Missouri
William Vermillion.....	Virginia.....	Samuel S. Gilmore.....	do.....

SIXTH DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
Jacob Finley.....	Ohio.....	John C. Baines.....	Indiana.....
John Tivas.....	Indiana.....	Jackson Fields.....	do.....
Charles Kelley.....	Illinois.....	George Price.....	Missouri.....
George Tinker.....	Missouri.....	David Ward.....	do.....
Robert W. Getreal.....	Illinois.....	Ilan Smidt.....	do.....
Alun Brant.....	do.....	James Smith.....	do.....
Berry Mills.....	do.....	Joseph Smith.....	do.....
Francis Twombly.....	Missouri.....	Peter Latherdy.....	Michigan.....
James Smith.....	Illinois.....	John Adkins.....	Missouri.....
Charles Stephen.....	Missouri.....	Thomas James.....	do.....
Michael Jarrand.....	Canada.....	Daniel B. James.....	do.....
Peter Stiner.....	Ohio.....	Solomon Spears.....	do.....
Joseph Welch.....	Missouri.....	Aaron Thompson.....	do.....
Washington Jones.....	do.....	John Wakefield.....	do.....
William Godfrey.....	do.....	James Fawbush.....	Illinois.....
Lewis Mooyard.....	do.....	John Fawbush.....	do.....
John Thompson.....	Indiana.....	Benjamin Fawbush.....	do.....
Joseph Robinson.....	do.....	Charles Smith.....	Missouri.....
Peter Lebaun.....	Missouri.....	Adam Boyd.....	do.....
Andrew Conville.....	do.....	Reuben Boyd.....	do.....
John B. Fleming.....	Indiana.....	George Wakefield.....	do.....
James H. Fleming.....	do.....	William Morgan.....	do.....
James Harrison.....	do.....	Daniel Francis.....	do.....
Adam Casushatte.....	New York.....	Thomas Osburn.....	do.....
William Rosecrant.....	Maryland.....	John Dobson.....	Tennessee.....
John A. Mathews.....	Kentucky.....	Thomas Dorland.....	Missouri.....
James Andrian.....	Arkansas.....	John Fleener.....	Indiana.....
Aram Shapeweather.....	Kentucky.....	James Fleener.....	do.....
Peter Welch.....	Missouri.....	John Weston.....	Illinois.....
Samuel Nelson.....	Georgia.....	George Weston.....	do.....
Samuel Drennon.....	Missouri.....	Jesse Prim.....	Tennessee.....
Ira Gathered.....	Geo. and Mo.....	John Williams.....	Missouri.....
Jerman Haloway.....	Ind. Ter.....	William Williams.....	do.....
David Harlan.....	Georgia.....	James Williams.....	do.....
Nathan Hopkins.....	do.....	Benjamin Williams.....	do.....
Daniel Hopkins.....	do.....	William Young.....	do.....
Joseph Rawls.....	Ohio.....	William Breese.....	do.....
Abram Rodgers.....	Arkansas.....	James Ray.....	do.....
Robert Edwards.....	Missouri.....	James B. Ray.....	do.....
Alexander Warfield.....	Massachusetts.....	William Ray.....	do.....
Fiedler Lewis.....	Missouri.....	L. Janny.....	do.....
William Linn.....	do.....	William Janny.....	do.....
George Butler.....	do.....	L. McKinney.....	do.....
Jerome Moody.....	do.....	Hiram Bledson.....	Ohio.....
Arthur Ward.....	do.....	Milton Eueing.....	Tennessee.....
Harrop Ward.....	do.....	Ephraim Barnett.....	N. Carolina.....
E. B. Cook.....	do.....	Lewis Davis.....	Ohio.....
James Turner.....	do.....	John Grant.....	Connecticut.....
Reiley Morgan.....	Massachusetts.....	Thomas H. Fox.....	do.....
Thomas Wilson.....	Delaware.....	Lewis Sharp.....	Massachusetts.....
Alfred Ousboin.....	Missouri.....	John Graves.....	Kentucky.....
James Dremmer.....	do.....	Thomas Graves.....	Missouri.....
William Haskins.....	Illinois.....	Stephen Fisher.....	do.....
Nathan Vestall.....	do.....	Reuben Parker.....	do.....
Lemuel Vestall.....	Missouri.....	Thomas Carter.....	do.....
Thomas P. Ingham.....	do.....	Michael Dawson.....	Georgia.....
Jeremiah McNew.....	do.....	Albert Nichols.....	do.....
Jonathan Evans.....	do.....	James F. Nichols.....	do.....
Reuben Spratt.....	do.....	John Nichols.....	do.....
Jesse Fowler.....	do.....	Charles Neet.....	Kentucky.....
Enoch Osborn.....	do.....	Manor Nichols.....	Georgia.....
B. Piles.....	do.....	William Gasaway.....	do.....
John Simpson.....	do.....	John Cail.....	Missouri.....
George Blake.....	do.....	Cowan Mitchell.....	do.....

SIXTH DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
Jackson Russell.....	Missouri.....	James Warren.....	Ohio.....
Samuel Russell.....	do.....	E. S. Fishback.....	do.....
Elsha Fly.....	do.....	Samuel Denurdly.....	Virginia.....
Abrer Sooter.....	do.....	Henry Humphreys.....	Missouri.....
John Guntley.....	do.....	William Underhill.....	do.....
James Guntley.....	do.....	William Vorchies.....	Illinois.....
John Fly.....	do.....	John Schoemaker.....	Holland.....
William Sooter.....	do.....	Parzeglione Paul.....	Italy.....
John Cates.....	do.....	Theodore Heimer.....	Prussia.....
H. W. Jones.....	Indiana.....	John Sheehan.....	Ireland.....
Andrew Rannay.....	do.....	James Burgess.....	Missouri.....
Stephen Potter.....	Tennessee.....	John Debrin.....	Belgium.....
James Marr.....	Delaware.....	Vanden Hecol Aruld.....	Holland.....
Henry Stephenson.....	Connecticut.....	Frederick Wendap.....	Prussia.....
John Crook.....	do.....	O'Donnel Thorn.....	Ireland.....
Green Wood.....	Ohio.....	Patrick Phalin.....	do.....
Joseph Jeffries.....	do.....	Arntziotte.....	Rome.....
Saul Benton.....	do.....		

SEVENTH DISTRICT.

List of voters in the seventh district of the Territory of Kansas, according to the census returns made by J. R. McClure in the month of February, 1855.

Names.	Where from.	Names.	Where from.
George Harvey.....	Ohio.....	Samuel L. Adair.....	Ohio.....
Samuel Harvey.....	do.....	Joseph Kerr.....	New York.....
Samuel Davaney.....	Tennessee.....	A. G. Jones.....	New Jersey.....
Henry Harvey.....	Ohio.....	F. McGee.....	Missouri.....
Foster Harvey.....	Indiana.....	C. C. Coats.....	do.....
John W. Freel.....	Iowa.....	J. H. Ratcliffe.....	do.....
Ithiel Street.....	Pennsylvania.....	Elliott Cusger.....	do.....
James Stewart.....	do.....	Matthias A. Reed.....	do.....
William A. Stewart.....	do.....	William Hanley.....	do.....
Joseph McIntire.....	do.....	Ely Snyder.....	do.....
Johnston McIntire.....	do.....	John W. Webb.....	do.....
Joseph McDonald.....	do.....	William Webb.....	do.....
M. H. Rose.....	do.....	William B. Jones.....	do.....
Thomas Russell.....	do.....	William Dailey.....	Illinois.....
John Smith.....	do.....	Jeremiah Preston.....	do.....
William Graham.....	do.....	Frank Dufrene.....	Missouri.....
George Bratton.....	do.....	Robert Turner.....	Illinois.....
A. Hoover.....	do.....	Jackson Lovelace.....	Missouri.....
David Conduit.....	do.....	D. W. Harold.....	Illinois.....
Lytton Smith.....	New York.....	Clayborn Lyking.....	Missouri.....
Henry Smith.....	do.....	George W. Berry.....	do.....
Alfonse Prentice.....	Iowa.....	George Watny.....	do.....
John Akins.....	Missouri.....	Charles Watny.....	do.....
James Akins.....	do.....	John Pierce.....	Illinois.....
J. B. Titus.....	Iowa.....	Allen Pierce.....	do.....
Devilla Wright.....	do.....	M. W. McGee.....	Missouri.....

EIGHTH DISTRICT.

List of voters in the eighth election district of the Territory of Kansas, according to census returns taken by J. R. McClure in the month of February, 1855.

Names.	Where from.	Names.	Where from.
Jesse Spencer	Louisiana	Samuel Griffith	Kentucky ..
Alexander Ferguson.....	Maryland	Jesse King	Missouri
George Sretzer.....	Pennsylvania.....	John A. Kelley	do.....
George W. Butcher	Missouri	Charles T. Gillmore.....	do.....
Thomas A. Huffaker	do.....	Edward Davis.....	do.....
John Hogan	Kentucky	Thomas Johnson	do.....
John Hearen	do.....	Christopher Columbia.....	Indiana.....
Allen Crowley	Missouri	George M. Gillour	Illinois.....
Monon Crowley	do.....	Emanuel Mosen.....	Missouri
James Monkase	do.....	Richard Williams	do.....
George S. Huffaker	do.....	Alfred Hyden.....	do.....
John Ratliff	do.....	A. J. Baker	Iowa
Lawrance Brook.....	do.....	William H. Hogan.....	Missouri
Jacob Reece	Pennsylvania.....	Ely M. Sewell	Iowa
W. D. Harris.....	Missouri	James Jebo	Indiana.....
John Devort.....	do.....	Charles Witchington.....	Iowa
John Horon.....	Massachusetts.....	Rob. Gillispie.....	Pennsylvania.....
William Delancy	do.....	Morgan Delacy	New Mexico ..
George Davis.....	Missouri	John Goodle.....	New York
G. M. Sincok.....	do.....		

NINTH DISTRICT.

List of voters in the ninth district of the Territory of Kansas, according to census returns made by M. F. Conway in the months of January and February, 1855.

Names.	Where from	Names.	Where from.
James Lennon	New York ..	William H. Moore	Indiana.....
Robert Wilson	Missouri	William A. Lowe	Missouri
Robert Higgins	Ohio	William Price.....	Ohio
Edward Mezick.....	Maryland.....	William A. Hammond.....	Pennsylvania.....
Jeremiah Lamb	Ohio	Martin F. Conway	Maryland.....
Thomas Conway	do.....	G. B. Pen Arsdale	New York
Stephen L. Ham	do.....	Joseph Seals.....	Kentucky.....
J. R. Mills	do.....	James Marten	Pennsylvania.....
Robert Kloutz.....	Pennsylvania.....	Fred. Sonnamaker	Missouri
J. R. McClure	Indiana.....	John F. Price.....	Kentucky
Edward M. Tripp.....	Massachusetts.....	Edward Gleason	Illinois.....
John Westorer.....	Pennsylvania.....	John Welch	do.....
William Cuddy.....	New York ..	Patrick Dixon.....	do.....
C. R. Mobley.....	Kentucky	James Dixon.....	do.....
S. A. Treat.....	Ohio	John Dixon.....	do.....
John N. Dyer.....	Missouri	Thomas Dixon.....	do.....
Lemuel Knapp.....	New York ..	Thomas Renolds.....	Maine
Henry Green	do.....	John Renolds.....	do.....

TENTH DISTRICT.

List of voters in the tenth election district of the Territory of Kansas, according to census taken by M. F. Conway in the months of January and February, 1855.

Names.	Where from.	Names.	Where from.
George W. Ewbanks	Missouri	H. P. Cutting	Ohio
Henry Mechlin	do.	John McIntyre	Illinois
Henry Sheriff	do.	Hoy Hall	Maine
Jacob Sheeair	do.	Moody B. Powers	do.
Lewis Sanders	do.	Amos H. Powers	do.
Gustave Stahl	do.	Horace A. Wilcox	Rhode Island.
James Lowry	do.	J. W. Ressel	Maine
David Stevenson	Iowa	John L. Hamblet	do.
Asel G. Allen	Massachusetts	Joseph Stewart	Missouri
Tunis Roscoe	Missouri	Enoch G. Hinton	do.
Samuel D. Dyer	do.	George Clojman	do.
W. C. Dyer	do.	William D. Wicks	Kentucky
Alvan Dyer	do.	J. W. Leland	Massachusetts
Charles B. Blood	Illinois	William Seymour	Ohio
Benjamin D. Baldwin	do.	William S. Seymour	do.
Marshall A. Garrett	Missouri	Rob. Nelson	Indiana
Samuel P. Allen	do.	James Wilson	do.
J. E. Wood	Ohio	John B. Trapp	Iowa
Zebulon Avey	Kentucky	Mitchell Mathew	Illinois
Samuel Whitehorn	Michigan	Antony Tasseer	Missouri
Israel P. Brayton	Massachusetts	Francis Broguon	Iowa
John Neuber	do.	Henry Rummell	Missouri
Alden Babcock	do.	Washington Gibbs	Kentucky
Joseph Hayes	Missouri	Charles Wallerts	do.
Samuel Hayes	do.	Andrew Nall	Louisiana
George D. Butts	Pennsylvania	Jacob H. Hard	California
James Bishops	Missouri	Henry Ebert	Pennsylvania
Aborn Martin	do.	Michael Flois	Missouri
Seth L. Child	Illinois	Mathew Flois	do.
Isaac S. Hascall	New York		

ELEVENTH DISTRICT.

List of voters in the eleventh district of the Territory of Kansas, according to census returns taken by B. H. Twombly in the months of January and February, 1855.

Names.	Where from.	Names.	Where from.
John E. D. Avis	Missouri	John Jones, sen.	Missouri
Julius Berger	do.	Daniel Jones	do.
Robert Berger	do.	David Evans	do.
George Munthely	do.	William Evans	do.
Robert C. Bishop	Virginia	Edward Jones	do.
George F. Hubbard	Missouri	David Jones	do.
William Hubbard	do.	Samuel Jones	do.
Jerry Sweat	do.	S. N. B. Holmes	do.
John Donaldson	do.	James Lucas	do.
William P. McCuse	do.	E. S. Bishop	do.
Daniel Bowly	do.	Agnes McClelland	do.
Francis J. Marshall	do.	John Robbins	do.
A. G. Woodward	do.	Oliver Jesse	do.
John G. Clarke	do.	C. D. Stockwell	do.

TWELFTH DISTRICT.

List of voters in the twelfth election district of the Territory of Kansas, according to the census taken by B. H. Twombly in the months of January and February, 1855.

Names.	Where from.	Names.	Where from.
Toussant Tremble.....	Illinois.....	Perry Polk.....	Missouri.....
John L. Tobars.....	Missouri.....	Olga Higbee.....	Michigan.....
Ellunne Papin.....	do.....	Thos. McCartney.....	Iowa.....
Lewis Cattin.....	do.....	Alex. Feltier.....	do.....
Lowe Papin.....	do.....	Claude Milo.....	Indiana.....
Andrew Lecompse.....	do.....	Basel Grimore.....	do.....
Andrew Frongan.....	do.....	John Leonard.....	Ohio.....
Joseph Vertefille.....	do.....	William Mortell.....	Iowa.....
Moses Bellmore.....	do.....	D. K. Palmer.....	Michigan.....
Antona DesLous.....	do.....	John D. Laslie.....	Indiana.....
Jonathan Mitchel.....	Virginia.....	Baptist Dutchame.....	Canada.....
Delos Allen.....	Wisconsin.....	Fox Bozlie.....	New York.....
Alfred Mothers.....	Virginia.....	Joseph Truck.....	Indiana.....
Peter Desaut.....	France.....	Basel Deplots.....	Iowa.....
Charles Sardon.....	France.....	Baptist Ogce.....	do.....
Peter Rudhomme.....	Missouri.....	Charles Dean.....	New York.....
John Blouchard.....	do.....	Oscar B. Dean.....	do.....
R. C. Miller.....	do.....	Stephen Hopkins.....	do.....
A. A. Crane.....	Louisiana.....	Lydia Dean.....	do.....
George L. Young.....	Missouri.....	Augustus Becher.....	Iowa.....
Olle Olson.....	do.....	Henrie Hollenboch.....	Missouri.....
L. M. Cox.....	Ohio.....	Oscar Minger.....	Ohio.....
Arnetstead Melner.....	do.....	Theckla Minger.....	do.....
Fredrick Counteamer.....	Canada.....	Benjamin Dean.....	New York.....
Joseph Ogce.....	do.....	Joseph Fox.....	Missouri.....
Marcellus Buch.....	Indiana.....	Isaac Smealond.....	Illinois.....
E. M. Sloan.....	Missouri.....	John Eldridge.....	do.....
S. S. Linton.....	Ohio.....	Samuel M. Bartlett.....	do.....
Joseph Papen.....	Missouri.....	Benjamin Potest.....	Kentucky.....
Reuben F. Haas.....	Pennsylvania.....	George Mauley.....	Wisconsin.....
Udlen Alley.....	Missouri.....	John O'Loughlin.....	Iowa.....
Nathaniel Wingardner.....	Ohio.....	James O'Laughlin.....	do.....
James Yattle.....	Wisconsin.....	Joseph Mathews.....	Missouri.....
Eron Kenedy.....	Illinois.....	James Mathews.....	do.....
Samuel Cummings.....	New York.....	John Belon.....	Illinois.....
Wesley Hopkins.....	Iowa.....	Samuel J. Cramer.....	Virginia.....
Geo. W. Baker.....	Illinois.....	Thomas J. B. Cramer.....	do.....
Bowlen Baker.....	Missouri.....	John Fett.....	do.....
Enoch Stephens.....	Arkansas.....	Perry Glenn.....	do.....
Lewis M. Kennedy.....	Iowa.....	Walter D. Beels.....	Missouri.....
J. B. Meige.....	Missouri.....	Richard Clency.....	Ohio.....
J. B. Duerneck.....	Kentucky.....	W. W. Moore.....	Missouri.....
John Schults.....	Illinois.....	Geo. H. Baker.....	Indiana.....
Maurice Gellond.....	Missouri.....	Isaac Meller.....	New York.....
Andras Mazzelli.....	Iowa.....	Jesse Adamson.....	Indiana.....
Daniel Doneen.....	Missouri.....	Geo. B. Rey.....	Illinois.....
John Patton.....	Kentucky.....	Benjamin Foster.....	Ohio.....
Sebastian Schlinger.....	Ohio.....	Sam'l Crozer.....	Missouri.....
Peter Karleskind.....	Missouri.....	William Parkitt.....	do.....
James Slesin.....	do.....	Benjamin Winkle.....	do.....
Augustus Broaly.....	Pennsylvania.....	George Winkle.....	do.....
Lewis Wilson.....	Missouri.....	John Winkle.....	do.....
E. G. Booth.....	do.....	John Newton.....	do.....

THIRTEENTH DISTRICT.

List of voters in the thirteenth election district, Territory of Kansas, according to census returns made by H. B. Jolly, taken during the months of January and February, 1855.

Names.	Where from.	Names.	Where from.
Alexander Lobeck.....	England.....	Walker William.....	Indiana.....
James Donfrey.....	Iowa.....	J. D. York.....	N. Carolina.....
George Cook.....	Illinois.....	William Tillotson.....	Illinois.....
M. D. Wade.....	Illinois.....	Elijah Harding.....	England.....
Aaron Cook.....	Missouri.....	A. J. Whitney.....	Maine.....
W. C. Lewis.....	Iowa.....	James Frazier.....	Indiana.....
Charles Rod.....	Michigan.....	A. J. Morrow.....	Missouri.....
John Cunningham.....	Missouri.....	Robert Riddle.....	Pennsylvania.....
William Arthur.....	do.....	T. D. Jolly.....	Illinois.....
Henry Seale.....	do.....	H. B. Jolly.....	do.....
Henry Bretz.....	do.....	J. B. Ross.....	Missouri.....
Benjamin Bogston.....	do.....	Thomas Mooney.....	do.....
John Miller.....	do.....	Henry Len.....	Switzerland.....
Joseph Rodgers.....	England.....	James Dikes.....	Kentucky.....
O. B. Herbert.....	Kentucky.....	S. J. Scantling.....	do.....
Silas Gilman.....	do.....	W. H. Trap.....	Missouri.....
James Kirkendall.....	Missouri.....	E. B. Trap.....	do.....
William Kirkendall.....	do.....	James Gardner.....	do.....
J. H. Clemmons.....	do.....	May Barton.....	do.....
M. E. Riddle.....	do.....	Albro Pemberton.....	do.....
Robert Shely.....	Ireland.....	Joseph Elliott.....	do.....
Charles Casy.....	Missouri.....	Phelix Braden.....	do.....
William Nations.....	do.....	James Piles.....	do.....
G. M. Dyze.....	do.....	Shelby Piles.....	do.....
John Davis.....	do.....	Franklin Browning.....	do.....
William Jibbs.....	do.....	J. B. Worit.....	Germany.....
Holman Bonfield.....	do.....	J. H. Front.....	do.....
F. John.....	do.....	Richard Chandler.....	Missouri.....
M. Walker.....	do.....	Prater Chandler.....	do.....
John Myzes.....	Germany.....	John Mear.....	do.....
Edward Fox.....	Ireland.....	J. W. Pate.....	do.....
B. Boisy.....	Illinois.....	John Bradshaw.....	England.....
John Boisy.....	do.....	James Chandler.....	Missouri.....
William Carpenter.....	do.....	Adam Post.....	do.....
Smith White.....	Missouri.....	Robert Carter.....	do.....
George White.....	do.....	Thomas Carter.....	do.....
Hubbard Holder.....	do.....	James Atkinson.....	do.....
H. C. Cora.....	Indiana.....	John Evans.....	do.....
Ezra Cora.....	do.....	Richard Jont.....	do.....
John Brown.....	do.....	James Jont.....	do.....
Henry Fisher.....	Iowa.....	James Hopewell.....	do.....
Isaac Kimes.....	do.....	Napoleon Hopewell.....	do.....
Smith Banker.....	do.....	William Hunter.....	do.....
Louis Hoover.....	Indiana.....		

FOURTEENTH DISTRICT.

List of voters of the fourteenth district of the Territory of Kansas, according to the census returns made by Albert Weed, esq., taken during the months of January and February, A. D. 1855.

Names	Where from.	Names.	Where from.
William Michaels	Missouri	Eli Acord	Illinois
James Michaels	do	Jacob Acord, jr.	do
Peter Cadue	Michigan	William K. Shaw	Missouri
Robert Ewin	Missouri	J. W. Collins	do
Samuel Anderson	Ohio	Anderson Cox	do
Winburt F. Chudys	Missouri	Anderson Cook	do
Charles Vinson	Arkansas	Jacob Goshon	do
J. C. Wibley	Virginia	Matthew Fitzpatrick	do
Calvin Louis	Missouri	John Grace	do
Sandy Vinyard	Indiana	William Gains	do
James Vinyard	do	Edward Deacon	do
Calvin Newiman	Kentucky	Henry Moore	do
Whitson G. Tate	do	Parker A. Hooper	do
Bonard Brady	Missouri	James C. Ditymore	do
John Landies	do	Melchior Brown	do
William O. Robertson	Kentucky	Joel Byron	do
Elisha H. Rosill	do	Peter Minter	do
Joseph W. Batie	Missouri	Isaac Craig	Alabama
John W. Foreman	do	Milton Nett	Ohio
James L. Foreman	do	Josephus Nett	Missouri
Lewis C. W. Foreman	do	G. R. Wilson	do
James W. Holland	do	A. G. Rice	do
S. K. Miller	do	George Gay	do
Aaron Gibbons	do	Charles Millaman	do
John P. Cordineer	do	Harvey W. Forman	do
John Carson	do	Daniel Vanderslice	Kentucky
James Morrison	do	Thomas J. Vanderslice	do
Elys Hamilton	do	William T. B. Vanderslice	do
Zedock Martin	do	Harden Crichfield	Iowa
William Smith	do	William Vivis	Missouri
Washington F. Martin	do	William Sugg	do
James M. Holland	Indiana	Francis Bushnell	do
Amos Rutledge	do	Nelson Rodgers	do
Silvester Madison	Missouri	Anthony Gravit	do
Richard Henderson	do	Joseph Better	do
Thomas Sweeten	do	John Hullen	do
Isaac Martin	do	John B. Roy	do
Joshua Sanders	do	Samuel M. Irvin	do
Calvin N. Newman	do	Cornelius McClain	do
Richard Tuck	do	James D. Irwin	Ohio
Daniel Shoop	Ohio	Henry Buch	Missouri
Jonathan Alexander	Illinois	E. P. Richardson	do
Richard Rest	Missouri	J. S. Pemerton	do
Samuel Collins	do	Oliver Bealer	do
Paris Dunning	do	Jackson Bealer	do
John Stanton	do	Charter Searles	do
William M. Peppers	do	Thomas Davis	do
W. W. Huddle	do	Eli Galbard	do
John C. Manuel	Kentucky	John McKauler	do
Norman Alexander	Missouri	John Edward	do
Michael McCormac	do	John Greenfield	do
Robert Clory	do	Daniel Million	do
John Clory	do	Nicholas White	do
John Donley	do	E. W. B. Rodgers	do
Dennis Mullen	do	Silas Stone	do
James O'Connell	do	L. H. Pendleton	do
H. N. Beauchamp	do	Uriah Griffith	do
Jacob Acord, sen.	Illinois	Thomas W. Matterson	do

FOURTEENTH DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
James Matterson.....	Missouri.....	Paulete Levsee.....	Missouri.....
R. W. Watsett.....	do.....	Obadiah Nermer.....	do.....
William Mathews.....	Kentucky.....	Doctor Wells.....	do.....
George H. Breyon.....	Missouri.....	P. T. Transaway.....	do.....
Mathew Ise.....	do.....	William H. Allen.....	do.....
Samuel Piles.....	do.....	James Sollers.....	do.....
Riley Clapp.....	Indiana.....	Matthias Rapp.....	do.....
William Newman.....	Missouri.....	John M. Hartman.....	do.....
Jesse Brown.....	do.....	Robert Rody.....	do.....
David Howard.....	do.....	Charles Schilmer.....	do.....
A. Jamison.....	do.....	Richard Baber.....	do.....
G. H. Jamison.....	do.....	Joseph Ashley.....	do.....
William Rhodes.....	do.....	Bertus Pryer.....	do.....
George Rhodes.....	do.....	Henry Lashiena.....	do.....
Charles M. Stewart.....	Indiana.....	Edward Maron.....	do.....
Jacob Drieschneider.....	Missouri.....	Joseph Peters.....	do.....
D. B. Welding.....	do.....	Hezekiah Jackson.....	do.....
Robert McSpiring.....	do.....	James B. Anderson.....	do.....
Aaron Barnes.....	do.....	Frederick Trent.....	do.....
Hamilton J. Johnson.....	do.....	William Jordan.....	do.....
Nelson Abby.....	do.....	John W. Smith, sen.....	do.....
John M. Tracy.....	do.....	Joseph Crippen.....	do.....
James Seaffield.....	Iowa.....	Philip James.....	Kentucky.....
William H. Hye.....	Missouri.....	William Sharper.....	Missouri.....
Charles Ritcher.....	do.....	Charles Rodgers.....	do.....
Charles Eggers.....	do.....	Benjamin H. Brock.....	do.....
James Kennell.....	Illinois.....	Sheron Lawhorn.....	do.....
Samuel Kirkpatrick.....	Missouri.....	James Lawhorn.....	do.....
John Copland.....	do.....	Henry Wilson.....	do.....
John Cook.....	N. Carolina.....	James Craft.....	do.....
Laster Copland.....	Missouri.....	Robert L. Morris.....	do.....
Q. Lewis.....	do.....	Q. W. Davis.....	do.....
William Chamberlain.....	do.....	E. S. Stinson.....	do.....
Patrick Wright.....	do.....	S. E. Morris.....	do.....
Jonathan Hurt.....	do.....	T. M. Morris.....	do.....
Cary B. Whitehead.....	do.....	Richard Morris.....	do.....
G. B. Jones.....	do.....	James Lovell.....	do.....
William Morgan.....	Vermont.....	Lias Roark.....	do.....
Ephraim McClelland.....	Missouri.....	Henry Moore.....	Kentucky.....
Leander McClelland.....	do.....	Madison Osbourn.....	Missouri.....
John G. McClelland.....	do.....	Morgan Osborn.....	do.....
Stephen N. Bell.....	do.....	James N. Miller.....	do.....
Amett Gromes.....	do.....	Garnett Kelley.....	do.....
Ab. Gromes.....	do.....	Arnot Tribble.....	do.....
James Gromes.....	do.....	Thomas Howell.....	do.....
Joseph H. Cisliffe.....	do.....	William Miller.....	Iowa.....
Newton R. Carter.....	do.....	Jackson Feilds.....	Missouri.....
Nason F. Moss.....	do.....	Edward Gilliam.....	Illinois.....
Mirah Curtis.....	do.....	John H. Gilliam.....	do.....
James Campbell.....	do.....	Henry Adams.....	Missouri.....
Mark Vogan.....	do.....	Donland Marrow.....	do.....
M. T. Sweeny.....	do.....	Elijah Merrill.....	do.....
John Dryle.....	do.....	James Gabriel.....	do.....
Franklin Kream.....	do.....	Richard Ward.....	do.....
William P. Richardson.....	do.....	Russel Hazellanan.....	do.....
Benjamin Duncan.....	do.....	Pleasant Hanan.....	do.....
John W. Stevens.....	do.....	Richard Shanks.....	do.....
Edward Schmidt.....	do.....	Thomas Duvanet.....	do.....
William Skelton.....	do.....	Jacob Inglehart.....	do.....
John Smith.....	do.....	Andrew Tribble.....	do.....
Anderson Gladdin.....	do.....	James P. Harper.....	do.....
Sayburn Gladdin.....	do.....	Robon Shannon.....	do.....
Henry Dolon.....	do.....	James Boston.....	do.....
Benjamin Todd.....	do.....	Pat. Tindle.....	do.....

FOURTEENTH DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
Daniel Tindle.....	Missouri.....	Robert Myres.....	Missouri.....
John Wallace.....	do.....	Tillman Culp.....	Ohio.....
Sayburn P. Sollers.....	do.....	George Stillwell.....	do.....
B. Gardiner.....	do.....	Archibald Willis.....	Missouri.....
John Bolen.....	do.....	Lewis Fay.....	Ohio.....
Jeffrey M. Palmer.....	do.....	Evans Smith.....	Indiana.....
Joel P. Blair.....	do.....	Nathan White.....	Iowa.....
William Days.....	do.....	Joseph Randolph.....	Pennsylvania.....
James R. Whitehead.....	do.....	William Brittain.....	Missouri.....
John H. Whitehead.....	do.....	Calvin Mourey.....	Ohio.....
James M. Merrill.....	do.....	Nicholas Thomas.....	Illinois.....
Daniel Montgomery.....	do.....	Benjamin Sprowl.....	do.....
Henry S. Creal.....	do.....	William Sprowl.....	do.....
Thomas Willbahan.....	do.....	James Smith.....	do.....
Peter Hoyer.....	do.....	Joshua Smith.....	do.....
Henry Thompson.....	do.....	Quincy Ball.....	Indiana.....
Luther Dillon.....	do.....	John Chapman.....	do.....
— Weaver.....	Ohio.....	John D. Noble.....	Missouri.....
Benjamin Hardin.....	Missouri.....	Jacob Harp.....	do.....
Albert Head.....	do.....	Francis Flanigin.....	do.....
Tasney Ralph.....	do.....	Jeffrey Landon.....	do.....
E. Blackston.....	do.....	Benjamin Fry.....	do.....
A. Hayes.....	do.....	Andrew B. Armstrong.....	do.....
A. Hall.....	New Jersey..	John Armstrong.....	do.....
James B. O'foole.....	Missouri.....	Green McCafferty.....	do.....
James O'foole.....	do.....	John B. McCafferty.....	do.....
William Arthur.....	do.....	Osborn Huling.....	do.....
Jacob Yonder.....	do.....	James Riley.....	do.....
John I. Brady.....	do.....	Constance Poena.....	do.....
Henderson Smallwood.....	do.....	Eli Copeland.....	do.....
Anderson Hill.....	do.....	William Copeland.....	do.....
Milton E. Bryant.....	do.....	John C. Copeland.....	do.....
John Trotman.....	do.....	William Rhodes.....	do.....
Antwise Tere.....	do.....	George P. Rhodes.....	do.....
William McGreer.....	do.....	Henry J. Chunley.....	N. Hampshire
William Palmer.....	do.....	Hamilton Osbourne.....	Missouri.....
George Palmer.....	do.....	Benjamin Haglewood.....	do.....
William McGrew.....	do.....	John Lovelady.....	do.....
Henry Rhodes.....	do.....	Elijah Lovelady.....	do.....
John Wise.....	Ohio.....	H. P. Ruseal.....	do.....
William Lanforge.....	do.....	Winston Thomas.....	do.....
George Kenkade.....	do.....		

FIFTEENTH DISTRICT.

List of voters in the fifteenth election district of the Territory of Kansas, according to census returns made by H. B. Jolly, in the months of January and February, 1855.

Names.	Where from.	Names.	Where from.
James Brooks.....	Missouri.....	Charles Grover.....	Missouri.....
Jonah Lacy.....	do.....	William Dyse.....	do.....
Horace Haley.....	do.....	J. M. Martin.....	do.....
Martin Glocks.....	Germauy.....	Joseph Finly.....	Ireland.....
Calvin Brown.....	Missouri.....	William Finly.....	do.....
D. A. N. Grover.....	do.....	J. P. Basket.....	Missouri.....

FIFTEENTH DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
S. W. Tunnel.....	Missouri.....	Jonathan Smith.....	Missouri.....
N. J. Shaler.....	New York.....	James Douglas.....	do.....
Edward Oakley.....	Pennsylvania.....	B. Douglas.....	do.....
A. G. Boyd.....	Missouri.....	Robert Smith.....	do.....
A. J. Walker.....	do.....	H. C. Bradley.....	do.....
A. C. Hayne.....	do.....	George Speck.....	Georgia.....
E. S. Wilhite.....	do.....	John Bailey.....	Missouri.....
D. Suell.....	do.....	Franklin Goddard.....	do.....
H. P. Cady.....	Wisconsin.....	Thomas Goddard.....	do.....
J. H. Maxwell.....	Illinois.....	Allen Pullen.....	do.....
A. M. Price.....	Missouri.....	David Hunt.....	do.....
W. S. Blanton.....	do.....	John Cotter.....	Ireland.....
E. H. Evans.....	do.....	Edward Cotter.....	do.....
Isaiah Austin.....	do.....	Benjamin Wallace.....	Missouri.....
J. C. Ellis.....	do.....	E. Downing.....	do.....
J. H. Large.....	Kentucky.....	William Downing.....	do.....
Kyle Evans.....	Pennsylvania.....	J. M. Medel.....	Indiana.....
J. W. Freeland.....	Missouri.....	James Smith.....	Missouri.....
John Freeland.....	do.....	J. H. Kinsinger.....	do.....
B. F. Freeland.....	do.....	John Light.....	do.....
Uriah Higby.....	do.....	Levi Robins.....	do.....
Thomas Dearnier.....	do.....	Job Robins.....	do.....
William Novel.....	do.....	Peter Wade.....	do.....
John Lumpkins.....	Kentucky.....	James Cronens.....	do.....
H. M. Story.....	Illinois.....	William Kence.....	do.....
E. R. Zimmerman.....	Pennsylvania.....	Francis Stutz.....	do.....
William Braham.....	Iowa.....	Barbery Dowry.....	do.....
J. W. Atkinson.....	Missouri.....	J. O. Hawley.....	do.....
E. M. McComas.....	Ohio.....	J. B. Perry.....	do.....
James Knox.....	Missouri.....	George B. Wells.....	do.....
M. Hall.....	Pennsylvania.....	William Wade.....	do.....
J. R. Castle.....	Ohio.....	William Pennick.....	do.....
Thomas Corny.....	N. Hampshire.....	James Frily.....	do.....
William Kirkman.....	Missouri.....	Stephen Frily.....	do.....
Robert Joler.....	do.....	Jesse Frily.....	do.....
Charles Sexton.....	Iowa.....	Francis Noyes.....	do.....
A. A. Haggard.....	Georgia.....	Jim Johnson.....	do.....
Washington Haze.....	Missouri.....	George Sharp.....	do.....
C. Bishop.....	do.....	William Sharp.....	do.....
James Beagle.....	do.....	Robert Isaacs.....	do.....
E. D. Bishop.....	do.....	Silas Snoddy.....	do.....
J. W. Golden.....	Pennsylvania.....	Silas Willa.....	do.....
W. H. Wells.....	do.....	John Snoddy.....	do.....
R. H. Phelon.....	do.....	R. M. Lishy.....	do.....
J. A. Lindsey.....	do.....	Jamds Cunningham.....	do.....
John Norton.....	Missouri.....	James Losten.....	do.....
R. M. Foster.....	Iowa.....	Thomas Scantlin.....	Ireland.....
R. W. Thompson.....	Missouri.....	J. McCune.....	do.....
John Cook.....	do.....	George Hollingsworth.....	Missouri.....
E. J. Myers.....	do.....	George Caton.....	England.....
M. Elliott.....	do.....	L. Yokem.....	Missouri.....
G. W. Thompson.....	do.....	Grafton Thomason.....	do.....
G. W. Myers.....	do.....	William McCerec.....	Ireland.....
M. B. Myers.....	do.....	George Sears.....	Kentucky.....
G. S. Davis.....	do.....	S. Dickens.....	Missouri.....
Richard Davis.....	do.....	David Pennick.....	do.....
J. J. Thompson.....	do.....	N. J. Mayfield.....	Illinois.....
J. S. Thompson.....	do.....	N. J. Allen.....	Missouri.....
John Branscome.....	Iowa.....	A. Newman.....	Germany.....
J. F. Sapp.....	Missouri.....	M. A. Branfield.....	Missouri.....
Daniel Sapp.....	do.....	Jese Shepard.....	do.....
Allen Henson.....	do.....	H. H. Williams.....	do.....
John Jones.....	do.....	J. D. Durony.....	do.....
Samuel Bowman.....	do.....	Andrew Chenyworth.....	do.....

FIFTEENTH DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
Jonathan Congreve.....	Missouri.....	H. F. Power.....	Missouri.....
G. F. Challas.....	do.....	John House.....	do.....
John Parker.....	do.....	Samuel Bixler.....	do.....
John Flannery.....	do.....	O. R. Davis.....	Mississippi.....
J. S. Wiser.....	do.....	Daniel Fink.....	New York.....
A. H. Allen.....	do.....	S. F. Kay.....	Missouri.....
J. H. Stringfellow.....	do.....	Alexander Cotterel.....	do.....
James Donnel.....	do.....	M. Coale.....	do.....
W. D. Adams.....	do.....	J. B. Craus.....	Iowa.....
R. S. Kelly.....	do.....	II B. Gale.....	Missouri.....
J. Scantlin.....	Ireland.....	C. S. Foster.....	New York.....
Ira Norris.....	Missouri.....	J. R. Jones.....	Missouri.....
William Hensler.....	do.....	William Dilla.....	do.....
Charles Eckles.....	do.....	James Henderson.....	do.....
Michael Wilkin.....	do.....	Samuel Wallace.....	do.....
Robert Buzzard.....	Ireland.....	J. M. Wallace.....	do.....
James Bozzard.....	do.....	J. M. Sales.....	Iowa.....
Martin Jones.....	Missouri.....	Cor. Sales.....	do.....
J. T. Sampson.....	Kentucky.....	Renee Bowman.....	do.....
E. J. Narvey.....	Missouri.....	G. W. Laler.....	do.....
J. J. Brown.....	do.....	John Miller.....	do.....
M. A. Phillips.....	Illinois.....	Johnson Adams.....	Kentucky.....
C. B. Graham.....	Missouri.....	J. D. Adams.....	do.....
William Morton.....	do.....	John Thornbury.....	Missouri.....
George Nations.....	Illinois.....	Pleasant Thornbury.....	do.....
Henry Snider.....	Missouri.....	William Cummings.....	do.....
John Taylor.....	do.....	John Waddle.....	do.....
Joseph Taylor.....	do.....	James Cooley.....	do.....
George Clogsholder.....	Germany.....	J. M. McBride.....	do.....
Patrick Hancock.....	Missouri.....	Ames Henson.....	do.....
Eph. Farwell.....	do.....	F. M. Potter.....	do.....
John Snider.....	do.....	Y. B. Gates.....	do.....
F. L. Stutz.....	do.....	M. T. Bailly.....	do.....
Christ. Harn.....	do.....	J. W. Bailly.....	do.....
B. L. Rich.....	do.....	William Bailly.....	do.....
J. H. Gilbert.....	do.....	O. Wammack.....	do.....
John Chandler.....	do.....	Allen Wammack.....	do.....
David Fiser.....	do.....	T. T. Kelly.....	do.....
Luther Dickerson.....	do.....	J. A. Henderson.....	do.....
William McVay.....	do.....	James Lewis.....	do.....
Dndley McVay.....	do.....	J. M. Freeland.....	do.....
F. M. McVay.....	do.....	F. M. Stanley.....	do.....
Joseph McVay.....	do.....	N. W. Hodges.....	do.....
Patrick Boyd.....	England.....	Thomas Sumpter.....	do.....
B. J. Hamilton.....	Ireland.....	J. B. Pansly.....	do.....
Weal Higby.....	Missouri.....	Robert Parks.....	do.....
Bond Thomas.....	do.....	J. E. Beckner.....	do.....
Daniel Thomas.....	do.....	J. D. Carban.....	do.....
John Large.....	do.....	 Jones.....	do.....
Harvey Large.....	Kentucky.....	Martin Rickle.....	do.....
William Crawford.....	Missouri.....	John Norton.....	do.....
Gilbert Mulford.....	do.....	M. A. Jones.....	do.....
Thomas Pickton.....	do.....	J. M. Dean.....	do.....
P. Reed.....	Arkansas.....	J. M. Layton.....	do.....
Aaron Borrows.....	Ohio.....	S. S. Layton.....	do.....
A. Culver.....	Michigan.....	C. E. McDonald.....	do.....
Ira Bootman.....	Ohio.....	Nathaniel Stephens.....	do.....
John Bootman.....	do.....	M. A. Stephens.....	do.....
M. Moony.....	Missouri.....	William Boon.....	do.....
M. F. Rively.....	Pennsylvania.....	II. C. Boon.....	do.....
B. E. Rively.....	do.....		

SIXTEENTH DISTRICT.

List of voters of the sixteenth election district of the Territory of Kansas, according to the census returns made by Charles Leib, taken during the months of January and February, 1855.

Names.	Where from.	Names.	Where from.
Ilex Munday.....	Virginia.....	Samuel France.....	Indiana.....
Rezin Wilcox.....	Ohio.....	Geo. H. Keller.....	Missouri.....
S. R. McIlvaine.....	Kentucky.....	A. T. Kyle.....	Ohio.....
Henry S. Godsey.....	Missouri.....	Jas. Kirkpatrick.....	Minnesota.....
James Findley.....	Iowa.....	Geo. Carson.....	Germany.....
John Parkinson.....	Kentucky.....	Wm. Philips.....	Illinois.....
Moses Grinter.....	Ohio.....	Thos. H. Doyle.....	Ohio.....
Jas. Grinter.....	Pennsylvania.....	John C. Posey.....	Alabama.....
Michael Russell.....	Ohio.....	A. Macarsley.....	Iowa.....
Israel Haff.....	Michigan.....	J. H. Day.....	Minnesota.....
Myron Sampson.....	Massachusetts.....	Thos. Bishop.....	Illinois.....
John G. Pratt.....	Ohio.....	W. H. Levy.....	Ohio.....
Albert Daman.....	Ohio.....	A. T. Pattee.....	Missouri.....
Augustus Russell.....	Ohio.....	J. T. Hook.....	Iowa.....
Julius Fairfield.....	Vermont.....	A. Wilson.....	Ohio.....
John Randall.....	Pennsylvania.....	B. L. Sellers.....	Minnesota.....
Benj. H. Twombly.....	Missouri.....	Michael Kelley.....	Ireland.....
Charles Leib.....	Iowa.....	J. E. Grant.....	Kentucky.....
David Dodge.....	Missouri.....	John Smith.....	Ohio.....
Jos. P. Dunham.....	Ohio.....	Jas. M. Lyle.....	Kentucky.....
John Dunham.....	Ohio.....	J. P. Richardson.....	Michigan.....
Caleb Dunham.....	Ohio.....	John Moulfort.....	Kentucky.....
David Z. Smith.....	Pennsylvania.....	Geo. Brubaker.....	Missouri.....
P. Ricksecker.....	Ohio.....	Geo. Russel.....	Minnesota.....
Samuel Ruder.....	Missouri.....	J. W. Skinner.....	Pennsylvania.....
John Luck.....	Scotland.....	Adam Fisher.....	Illinois.....
Geo. D. Stevenson.....	Germany.....	Geo. M. Fisher.....	Ohio.....
John J. Berry.....	Ohio.....	Wm. Pierce.....	Missouri.....
Jac. Reim.....	Ohio.....	F. S. Abney.....	Ohio.....
Lewis Grohe.....	Ohio.....	John Harris.....	Ohio.....
Henry, (German).....	Missouri.....	Isaac Williams.....	Ohio.....
L. R. Pharr.....	Ireland.....	Isaac Ferguson.....	Kentucky.....
John Farrell.....	Germany.....	Alvah Gregory.....	Missouri.....
John Rieffer.....	Ohio.....	S. Scruggs.....	Ohio.....
Wm. Engleman.....	Ohio.....	C. Naef.....	Germany.....
Fred'k Engleman.....	Ohio.....	D. C. Ames.....	Illinois.....
John M. White.....	Pennsylvania.....	David Culver.....	Ohio.....
John Owens.....	England.....	James McGinty.....	Ireland.....
J. Howald.....	Missouri.....	A. Foster.....	Minnesota.....
C. F. Bredow.....	Germany.....	O. M. Thomas.....	New York.....
Wm. H. Adams.....	Missouri.....	Augustus Parker.....	Minnesota.....
H. Smith.....	Ohio.....	Robert L. Ream.....	Wisconsin.....
L. J. Eastin.....	Ohio.....	Levi Wilson.....	Pennsylvania.....
L. N. Reed.....	Ohio.....	L. F. Mills.....	Illinois.....
R. R. Reed.....	Ohio.....	B. C. Card.....	Ohio.....
Wm. Saunders.....	Ohio.....	Charles Munde.....	Hungary.....
John M. Taylor.....	Kentucky.....	G. B. Panton.....	Connecticut.....
J. M. Alexander.....	Pennsylvania.....	Samuel Phillips.....	Maryland.....
Thos. J. Stocum.....	Ohio.....	C. Lucas.....	Hungary.....
D. S. Boyle.....	Maryland.....	R. K. Wade.....	Maryland.....
H. M. Hook.....	Pennsylvania.....	William McEwen.....	Scotland.....
N. Sage.....	Michigan.....	Theodore M. Mix.....	Kentucky.....
— Bowers.....	Ohio.....	John Fenhelm.....	Germany.....
T. E. Bird.....	Iowa.....	Christian Beck.....	Denmark.....
Jos. McAleer.....	Pennsylvania.....	William M. Matthias.....	Maryland.....
P. H. Roberts.....	Wales.....	Hiram Rich.....	Missouri.....
Ed. Saunders.....	Missouri.....	James Rich.....	Missouri.....
John K. France.....	Indiana.....	John Higgins.....	Ireland.....

SIXTEENTH DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
L. A. Wiggins.....	Missouri.....	Nathan Ames.....	Illinois.....
Abner Hoyt.....	Ohio.....	A. C. Fuls.....	Missouri.....
Thomas Blakely.....	Missouri.....	Daniel Brasfield.....	..do.....
P. Dwyer.....	Ireland.....	James Mann.....	Scotland.....
G. Gladdon.....	Missouri.....	R. M. Devenport.....	Kentucky.....
Michael Fallon.....	Ireland.....	James Davis.....	Missouri.....
John Wilson.....	Maine.....	Washington Gobel.....	Iowa.....
Patrick Woods.....	Ireland.....	Simpson Gobel.....	..do.....
Jac. McWinders.....	Missouri.....	Thomas S. Rolus.....	..do.....
Samuel Reno.....	Pennsylvania.....	Jackson Goble.....	Iowa.....
William Martin.....	..do.....	W. H. H. Goble.....	..do.....
Jacob Minnte.....	Denmark.....	George Goble.....	..do.....
David Robinson.....	New York.....	R. B. Mize.....	Missouri.....
H. Bradlers.....	Virginia.....	John C. Newton.....	..do.....
Isaac Dyer.....	Louisiana.....	Thomas Bates.....	Ohio.....
Riley Todd.....	Missouri.....	Asa Smith.....	Missouri.....
Squire Overton.....	Illinois.....	R. Moxley.....	..do.....
Isaac Buehler.....	Maryland.....	Francis Brown.....	Tennessee.....
P. McGill.....	Ireland.....	John Brokham.....	Kentucky.....
W. Brown.....	Illinois.....	Alexander Russell.....	Missouri.....
J. Hoyt.....	New York.....	John Mire.....	..do.....
William Williams.....	..do.....	C. F. Hammond.....	..do.....
A. Moses.....	England.....	H. B. Kelley.....	..do.....
S. Rutlege.....	Ireland.....	George Leiggan.....	..do.....
John Sperry.....	Illinois.....	Thomas A. Minard.....	Iowa.....
J. O. Sullivan.....	Ireland.....	D. McMickle.....	Illinois.....
William Morse.....	England.....	William Sparks.....	Missouri.....
Thomas Barrett.....	Ireland.....	William Gaberts.....	..do.....
John Entz.....	Germany.....	Joseph Waddill.....	..do.....
George Lenhart.....	Pennsylvania.....	J. R. Munson.....	Canada.....
Edward Zarl.....	Germany.....	Isaac Jost.....	Iowa.....
Adolph Horn.....	..do.....	B. F. Thompson.....	New York.....
Franklin Garbor.....	..do.....	S. A. Dunn.....	Ireland.....
John Ruffner.....	Switzerland.....	C. Linville.....	Missouri.....
F. Leitzurger.....	..do.....	James Hutchings.....	..do.....
Beverly Beck.....	Denmark.....	William Rose.....	Iowa.....
E. H. Smith.....	Illinois.....	John Wilsley.....	..do.....
S. B. Vazaryckle.....	Pennsylvania.....	Peter Sillaley.....	..do.....
W. T. Marvin.....	Iowa.....	Joseph Hix.....	Missouri.....
Benjamin Luer.....	..do.....	Salem Pitman.....	Iowa.....
Tolbert Luer.....	..do.....	Goodwin Howell.....	Missouri.....
R. C. Thompson.....	Virginia.....	John Moore.....	..do.....
A. Reed.....	Scotland.....	J. Kinrow.....	..do.....
William Blevins.....	Pennsylvania.....	Hud. Scott.....	..do.....
Daniel Smith.....	Wisconsin.....	Christ. Schrinpy.....	Germany.....
Joseph Fant.....	Germany.....	S. M. Hickman.....	Missouri.....
Henry Burge.....	..do.....	S. Pankake.....	..do.....
H. Wells.....	..do.....	W. Bohart.....	..do.....
Julius Schiler.....	..do.....	John Haxwell.....	..do.....
Jacob Peterson.....	..do.....	William Staley.....	Pennsylvania.....
J. White.....	Kentucky.....	Samuel Staley.....	..do.....
Clark Trite.....	Missouri.....	M. Heifland.....	Germany.....
D. Brown.....	Minnesota.....	Thomas Scott.....	Missouri.....
Colo Melend.....	Iowa.....	E. Forsythe.....	Indiana.....
Charles Jeromnx.....	France.....	F. G. Bradin.....	Missouri.....
Isaac Cooley.....	Iowa.....	James Pyle.....	..do.....
Daniel Wiley.....	Illinois.....	John H. Micher.....	..do.....
C. P. Dunn.....	Massachusetts.....	Joseph Elliott.....	..do.....
Alfred Young.....	Iowa.....	Francis Browning.....	..do.....
George Young.....	..do.....	S. McMurtyn.....	..do.....
John Tyler.....	Missouri.....	Thomas Tritt.....	..do.....
Joseph McGee.....	..do.....	William Pierson.....	..do.....
William Large.....	..do.....	Thomas Wright.....	..do.....
William Meloy.....	..do.....	George S. Winn.....	..do.....

SIXTEENTH DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
Montgomery Giernan.....	Missouri	Joseph Scaggs	Missouri
Michael Levin.....	do.	James Wells.....	do.
Lew. Steps.....	do.	Andrew Skaggs.....	do.
J. Waymiers.....	Iowa	Thomas Stearns.....	do.
Eli Haulin.....	Missouri	John Allen.....	do.
Stephen Sparks.....	do.	Jacob Fisher.....	Iowa
Jno. Sparks.....	do.	James Noble.....	Missouri
Stephen Sparks, jr.....	do.	Thomas H. Noble, jr.....	do.
Jacob Adamson.....	do.	M. Wells.....	New York
Frank Goisoin.....	Germany	W. P. Drummond.....	Kentucky
Jac. Goisoin.....	do.	A. L. Downey.....	Missouri
James Bradley.....	Missouri	— Iddings.....	do.
James C. Brown.....	do.	— Wilkinson.....	do.
Isaac V. Camp.....	Iowa	Asa Stewart.....	Indiana
Joseph Latigan.....	Germany	Matt. France.....	do.
James O. Toole.....	Ireland	Fred. Sprech.....	Germany
H. D. McMeekin.....	Kentucky	Philip Frederick.....	do.
William Bukam.....	Missouri	Christ'm Galsler.....	France
Adam Dietz.....	Germany	P. Smith.....	Prussia
G. Kase.....	do.	Philip Zeigler.....	Pennsylvania
F. A. Hart.....	Missouri	Merrill Davis.....	Missouri
William Tanner.....	Indiana	John Hartsell.....	do.
D. A. Mitchell.....	Missouri	William Davis.....	do.
William Wallace.....	Kentucky	Joel S. Moore.....	do.
James E. Wallace.....	do.	G. Redmund.....	do.
Joel Hyatt.....	Indiana	George W. Thompson.....	do.
N. Henderson.....	do.	D. Thompson.....	do.
A. Payne.....	Missouri	William Hooper.....	do.
S. D. Pitcher.....	do.	J. Shulby Pyle.....	do.
Edward Rankin.....	do.	W. O. Webster.....	Indiana
Lawni Rankin.....	do.	James G. Heick.....	do.
O. Register.....	do.	Henry Stoddard.....	Ohio
Charles C. Hood.....	Germany	Thomas C. Bishop.....	Missouri
Jeremiah Clarke.....	Missouri	F. S. Arterberry.....	do.
John Harris.....	do.	James H. Garratt.....	do.
J. R. Penneck.....	Pennsylvania	Joseph Bowls.....	do.
J. Penneck.....	do.	George W. Walker.....	do.
Charles H. Penneck.....	do.	John Markham.....	Kentucky
H. S. Stonifer.....	Ohio	Barrett Markham.....	do.
William Dawson.....	Pennsylvania	George Fleming.....	England
Sol Snyder.....	Ohio	A. M. Cunningham.....	Wisconsin
Miles Shannon.....	do.	Thomas Lockerman.....	Illinois
Hudson Howland.....	Missouri	Thomas Laige.....	Missouri
B. M. Crust.....	do.	W. Heiple.....	Wisconsin
George Dallas.....	do.	James Easell.....	do.
David Creek.....	do.	William Coomman.....	Missouri
David Shesrin.....	do.	F. Paget.....	do.
Jacob Copple.....	Indiana	E. F. Stafford.....	do.
John Copple.....	do.	Nath. Talbot.....	Arkansas
D. H. Chappell.....	Ohio	Justus Clark.....	Iowa
William Cummings.....	Pennsylvania	John H. Dennis.....	Missouri
Samuel Cummings.....	do.	William H. Osborn.....	New York
James Mam.....	Missouri	William H. Goode.....	Indiana
Jesse Salisbury.....	Illinois	Philip Good.....	do.
Benjamin Willey.....	do.	H. C. Norton.....	Missouri
J. Willey.....	do.	Abelard Guthrie.....	Ohio
William Large.....	Missouri	George B. Northup.....	Missouri
C. C. Harrison.....	do.	John S. Ladd.....	Ohio
R. P. Briggs.....	do.	Charles Garrett.....	do.
F. A. Roberts.....	do.	A. P. Leary.....	Missouri
Charles H. Allen.....	do.	D. Dofflenger.....	Iowa
J. M. Tyner.....	do.	Lucius Chafey.....	Ohio
J. G. Henderson.....	do.	N. Richards.....	Indiana
John Kinsinger.....	do.	S. Philips.....	Missouri

SIXTEENTH DISTRICT—Continued.

Names.	Where from.	Names.	Where from.
Stephen Hunt.....	Missouri.....	John Kennedy.....	New York ..
Christ, Farle.....	..do.....	Jonathan Hall	Missouri
Will G. Woens.....	..do.....	Roberts Nathan	..do.....
George F. Cokley	..do.....	George B. White	..do.....
Solomon Thomas.....	..do.....	Nathan Adams.....	..do.....
Robert Rogers	..do.....	W. W. Jefferson.....	..do.....
A. Brady.....	..do.....	W. A. McDonell.....	..do.....
W. H. Lawson	..do.....	Israel Gibson.....	..do.....
C. Baker.....	New York	Adam Lemhert.....	Pennsylvania.
Alfred Lort.....	Missouri		

SEVENTEENTH DISTRICT.

List of voters in the seventeenth election district of the Territory of Kansas, according to census returns made by Alexander S. Johnson, esq., in the months of January and February, 1855.

Names.	Where from.	Names.	Where from.
A. H. Reeder.....	Pennsylvania.	John McClacken	Pennsylvania.
Daniel Woodson	Virginia	Joseph Fager	Missouri.....
S. D. Lecount.....	Maryland	Henry I. Kaufman	..do.....
John A. Haldemon	Kentucky	C. B. Donaldson.....	Illinois.....
Thomas Johnson	Missouri.....	Charles Snider.....	Missouri.....
Alex. Johnson	Kansas Terr'y	S. B. Dusser.....	..do.....
J. Dummer.....	Missouri.....	O. H. P. Reppta	..do.....
R. C. Meeks.....	..do.....	E. F. Burkman	..do.....
Robert Brown.....	..do.....	Talton Blam.....	..do.....
John Lemon.....	Louisiana.....	William Rutledge	..do.....
Augustus Charles.....	Missouri.....	B. F. Robinson.....	..do.....
William Donaldson.....	..do.....	Judge Banton.....	..do.....
Joseph Akin	..do.....	James H. Burnette.....	..do.....
Samuel Cornatzer	N. Carolina	John Elbert.....	..do.....
C. Cornatzer.....	..do.....	Daniel Frazier.....	..do.....
John Boles.....	Missouri.....	George Bagan	..do.....
Samuel Ganetti.....	..do.....	James Gladden.....	..do.....
Perk. Randall.....	..do.....	Horace Hall.....	New York ..
John Owens.....	..do.....	Francis Berry.....	Missouri.....
Doctor Buchhauman.....	..do.....	Dares Thayer.....	Ohio
Isaac Panish.....	..do.....	Cyrus Rodgers.....	Indiana.....
C. Chouteau.....	..do.....	Miller Woodyey.....	..do.....
T. Chouteau.....	..do.....	Richard Mendenhall.....	..do.....
Charles Boles.....	..do.....	A. Gregory.....	Iowa
James Mathews.....	..do.....	Francis Booker.....	Massachusetts

UNITED STATES OF AMERICA, }
Territory of Kansas. } ss.

On the 17th day of February, A. D. 1855, before the undersigned, chief justice of the Territory of Kansas, personally appeared Alexander S. Johnson, esq., who being duly sworn deposes and says: That the foregoing enumeration or census of the seventeenth district of said Territory is just and correct, to the best of his knowledge and belief; that he has not intentionally omitted or erroneously classified any inhabitants or qualified voters; that he has inserted the name of no person except those legally entitled to be inserted, and that he has made the said enumeration and classification of the said inhabitants, and the designation of qualified voters, truly and correctly, as directed in the foregoing precept, to the best of his judgment and ability.

A. S. JOHNSON.

Sworn and subscribed, February 17, 1855, before me,
SAMUEL D. LECOMPTE.

ELECTION OF MARCH 30, 1855.

PROCLAMATION.

UNITED STATES OF AMERICA. TERRITORY OF KANSAS.

To the qualified voters of the Territory of Kansas:

I, Andrew H. Reeder, governor of the said Territory, by virtue of the act of Congress passed the 30th day of May, 1854, entitled "an act to organize the Territories of Nebraska and Kansas," do by these presents proclaim, order, and direct that an election be held in the said Territory on Friday, the thirtieth day of March, A. D. 1855, for thirteen members of council and twenty-six members of the house of representatives, to constitute the legislative assembly of said Territory; and the qualified voters of the Territory are hereby requested to meet on said day, at the places of holding elections in their several districts and precincts, as hereinafter specified, to vote by ballot for the number of candidates hereinafter apportioned to the respective districts; and the said election shall be conducted in the manner hereinafter prescribed.

List of Election Districts as heretofore erected.

First District.—Commencing in the Kansas river, at the mouth of Cedar creek; thence up said river to the first tributary above the town of Lawrence; thence up said tributary to its source; thence by a direct line to the west side of F. Rolf's house; thence by a due south line to the Santa Fé road, and along the middle of said road to a point due south of the source of Cedar creek; thence due north to the source of said Cedar creek, and down the same to the place of beginning.

Second District.—Commencing at the mouth of Big Spring branch, on the south bank of the Kansas river; thence up said branch to its furthest source; thence by a southerly line crossing the Wakarusa river, on the east side of the house of Charles Matney, to the middle of the Santa Fé road; thence along the middle of said road to the line of the first district; thence by the same, along the west side of the house of F. Rolf, to the head of the first tributary of the Kansas, above the town of Lawrence; and thence by the same tributary to the Kansas river, and up the south bank of said river to the mouth of Big Spring branch, the place of beginning.

Third District.—Commencing at the mouth of Big Spring branch, on the south side of the Kansas river; thence up the same to its furthest source; thence by a southerly line to the north bank of the Wakarusa river, on the east side of the house of Charles Matney; thence up said river and its main branch to the line of the Pottawatomie reservation; and thence by the southern and western line of said reservation to the Kansas river, and down the said river to the place of beginning.

Fourth District.—Commencing at the Missouri State line in the middle of the Santa Fé road; thence along the middle of said road to

Rock creek, near the 65th mile of said road; thence south to the line of the late Shawnee reservation ceded by the treaty of 1854; thence due east along the south line of said reservation and the north lines of the existing reservations of the Sacs and Foxes, the existing reservations of the Chippewas and Ottawas, and the late reservations of the Piankeshaws, Weas, Peorias, and Kaskaskias, to the Missouri State line; thence up the Missouri State line to the place of beginning.

Fifth District.—Commencing at the Missouri State line at the southern boundary of the fourth district; thence east along the same to the northwest corner of the Sac and Fox reservation; thence due south along the western line thereof, and due south to the south branch of the Neosho river, about seventy miles above the Catholic Osage Mission; thence down said river to the north line of the reserve for New York Indians, and east along said line to the headwaters of Little Osage river, or the nearest point thereto; and thence down said river to the Missouri State line, and up said line to the place of beginning.

Sixth District.—Commencing on the Missouri State line in Little Osage river; thence up the same to the line of the reserve for the New York Indians, or the nearest point thereto; thence to and by the north line of said reserve to the Neosho river, and up said river and the south branch thereof to the head; and thence by a due south line to the southern line of the Territory; thence by the southern and eastern lines of said Territory to the place of beginning.

Seventh District.—Commencing at the east side of the house of Charles Matney, on the Wakarusa river; thence due south to the middle of the Santa Fé road; thence westwardly along the middle of said road to Rock creek, near the 65th mile of said road; thence due south to the north line of the Sac and Fox reservation; thence along the north and west lines thereof, and due south to the Neosho river; thence up said river to a point due south of the mouth of Elm creek; thence due north to the mouth of Elm creek, and up said creek to the Santa Fé road, and thence by a direct line in a northerly direction to the southwest corner of the Pottawatomie reservation; thence along the southern line of said reservation to the headwaters of the Wakarusa river, or the point nearest thereto; thence to and down the said river to the place of beginning.

Eighth District.—Commencing at the mouth of Elm creek, one of the branches of Osage river; thence up the same to the Santa Fé road; thence by a direct northerly line to the southwest corner of the Pottawatomie reservation; thence up the western line thereof to the Kansas river; thence up said river and the Smoky Hill Fork, beyond the most westerly settlements; thence due south to the line of the Territory; thence by the same to the line of the sixth district; thence due north to the head of the south branch of the Neosho river; thence down said river to the line of the seventh district; thence due north to the place of beginning.

Ninth District.—Commencing on the Smoky Hill Fork, beyond the most westerly settlements; thence down the same and the Kansas river, to the mouth of Wild Cat creek; thence up said creek to the headwaters thereof; thence due north to the Independence emigrant road; thence up said road to the north line of the Territory; thence

west along the same beyond the most westerly settlements; and thence due south to the place of beginning.

Tenth District.—Commencing at the mouth of Vermillion river; thence up the same, beyond the house of Josiah D. Adams; thence due west to the Independence emigrant road; thence up the middle of said road to the line of the ninth district; thence by the same to the head of Wild Cat creek, and down said creek to the Kansas river; thence down said river to the place of beginning.

Eleventh District.—Commencing in the Vermillion river, opposite the north side of the house of Josiah D. Adams; thence up said river to the head of the main branch; thence due north to the military road from Fort Leavenworth to Fort Kearney; thence along the middle of said road to the crossing of the Vermillion branch of the Blue; thence due north to the northern line of the Territory; thence west along said line to the Independence emigrant road; thence down said road to a point due west of the north end of the house of Josiah D. Adams, and due east to the place of beginning.

Twelfth District.—Commencing at the mouth of Soldier creek, in the Kansas river; thence up said creek to the head of the main branch; thence due north to the military road from Fort Leavenworth to Fort Kearney; thence along the middle of said road to the line of the eleventh district; thence due south to the head of Vermillion river, down Vermillion river to the mouth, and down Kansas river to the place of beginning.

Thirteenth District.—Commencing in the Kansas river, at a point three miles above the mouth of Stranger creek; thence in a northwardly direction by a line corresponding to, and three miles west of, the several courses of said creek, to the line of the late Kickapoo reservation; thence by the southern and western lines of said reservation to the military road from Fort Leavenworth to Fort Kearney; thence along the middle of said road to the line of the twelfth district; thence due south to the head of Soldier creek, down Soldier creek to the mouth, and down Kansas river to the place of beginning.

Fourteenth District.—Commencing at the mouth of Independence creek; thence up said creek to the head of the main branch, and thence due west to the line of the late Kickapoo reservation; thence north along said line and the line of the late Sac and Fox reservation, to the north line of the Territory; thence along said line eastwardly to the Missouri river, and down said river to the place of beginning.

Fifteenth District.—Commencing at the mouth of Salt creek, on the Missouri river; thence up said creek to the military road, and along the middle of said road to the lower crossing of Stranger creek; thence up said creek to the line of the late Kickapoo reservation, and thence along the southern and western line thereof to the line of the fourteenth district; thence by the same, and down Independence creek, to the mouth thereof, and thence down the Missouri river to the place of beginning.

Sixteenth District.—Commencing at the mouth of Salt creek; thence up said creek to the military road; thence along the middle of said road to the lower crossing of Stranger creek; thence up said creek to the line of the late Kickapoo reservation, and thence along the same

to the line of the thirteenth district, and thence by the same along a line corresponding to the courses of Stranger creek, and keeping three miles west thereof, to the Kansas river; thence down the Kansas river to the Missouri, and up the Missouri river to the place of beginning.

Seventeenth District.—Commencing at the mouth of the Kansas river, thence up the south bank thereof to the mouth of Cedar creek; thence up Cedar creek to its source, and thence due south to the Santa Fé road, along the middle of said road to the Missouri State line, and along said line to the place of beginning.

Eighteenth District.—Commencing in the military road at the crossing of the Vermillion branch of Blue river; thence due north to the line of the Territory; thence east along said line to the line of the fourteenth district; thence due south along said line to the aforesaid military road, and along the middle of said road to the place of beginning.

Precincts, places for polls, and judges of election.

First District.—The election will be held at the house of W. H. R. Lykins, in the town of Lawrence.

Judges.—Hugh Cameron, James B. Abbot, N. B. Blanton.

Second District.—House of Harrison Burson, on Wakarusa river.

Judges.—Harrison Burson, Paris Ellison, Nath. S. Ramsey.

Third District.—House of Thos. N. Stinson, in the town of Tecumseh.

Judges.—Rev. L. D. Stateler, Rev. H. B. Burgess, Rev. H. N. Watts.

Fourth District.—House of Dr. I. Chapman.

Judges.—Perry Fuller, David Pultz, E. W. Moore.

Fifth District.—This district is divided into four voting precincts, as follows, viz:

Bull Creek Precinct.—Commencing in the Osage (or Marais des Cygnes) river, opposite the termination of the dividing ridge between Pottawatomie and Middle creek; thence by an easterly line, running north of all the settlements on the waters of North Sugar creek to the Missouri State line; thence up said line to the line between the fourth and fifth districts; thence east along said line to the line between the Peoria and Ottawa reservations; thence south along the same to the Osage river, and down said river to the place of beginning.

The election will be held at the house of Baptiste Peoria.

Judges.—John J. Parks, J. J. Clark, Stephen White.

Pottawatomie Creek Precinct.—Commencing in the Osage river on the line of the Peoria and Ottawa reserves; thence down said river to a point opposite the termination of the dividing ridge between Pottawatomie creek and Middle creek; thence along said dividing ridge beyond the head waters of said creeks, and thence by a line due southwest to the line of the sixth district; thence by the lines of the sixth, seventh, and fourth districts, to the line of the Peoria and Ottawa reservations, and down the same to the place of beginning.

Election at the house of Henry Sherman, on Pottawatomie creek.

Judges.—William Chesnut, Allen Wilkinson, O. F. Cleveland.

Big Sugar Creek Precinct.—Beginning in the Osage river at the Missouri State line; thence up said river to the mouth of Big Sugar creek; thence up said creek to the mouth of Little Sugar creek; thence along the dividing ridge between Big and Little Sugar creeks, beyond the headwaters of both; thence by a due southwest line to the line of the fifth district; thence along the same to the Pottawatomie Creek precinct; thence by the line of said precinct to the Osage river; thence by an easterly line, running north of all the settlements on the waters of North Sugar creek, to the Missouri State line, and down the same to the place of beginning.

Election at the house of Elisha Tucker, at the old Pottawatomie mission.

Judges.—James M. Arthur, Elisha Tucker, John E. Brown.

Little Sugar Creek Precinct.—Commencing at the mouth of Little Osage river; thence up the same, and along the line of sixth district, to Big Sugar Creek precinct; thence along the line of said precinct to Osage river; down Osage river to State line, and down State line to place of beginning.

Election at house of Isaac Stockton, at crossing of Little Sugar creek.

Judges.—William H. Finley, Alfred Osborne, Isaac Stockton.

Sixth District.—Election at the Hospital building at Fort Scott.

Judges.—James Ray, sen., William Painter, William Godefroy.

Seventh District.—Election at the house of J. B. Titus, on the Santa Fé road.

Judges.—Eli Snyder, John W. Freel, Dr. Harvey Foster.

Eighth District.—Election at the Council Grove mission house, near the Santa Fé road.

Judges.—A. J. Baker, Emanuel Mosier, T. S. Hoffaker.

Ninth District.—Election at the house of Robert Klotz, in the town of Pawnee.

Judges.—A. D. Gibson, S. B. White, Robert Wilson.

Tenth District.—This district is divided into two voting precincts, as follows, viz:

Blue River Precinct.—Commencing at the upper mouth of Black Jack creek; thence up said creek to the head of the main branch; thence due north to the Independence emigrant road; thence up the middle of said road to the northern line of the Territory; thence by the northern, western, and southern lines of the district to the place of beginning.

Election at the house of S. D. Dyer, on Blue river.

Judges.—Joseph W. Russell, Marshal A. Garrett, Joseph Stewart.

Rock Creek Precinct.—Commencing at the upper mouth of Black Jack creek; thence up said creek to the head of the main branch; thence due north to the Independence emigrant road; thence down said road, and by the continuous easterly and southerly lines of the district to the place of beginning.

Election at the house of Robert Wilson, on Rock creek.

Judges.—Francis Bergerow, Henry Rammelt, James Wilson.

Eleventh District.—Election at the trading house of Woodhall & Marshall.

Judges.—Tr. J. Marshall, R. C. Bishop, W. P. McClure.

Twelfth District.—This district is divided into two precincts, as follows, viz:

Silver Lake Precinct.—Commencing at the mouth of Cross creek; thence up the same to the head; thence due north to military road leading from Fort Leavenworth to Fort Kearney; thence by the continuous northern, eastern, and southern lines of the district to the place of beginning.

Election at the store of Sloan & Beaubien, on Silver lake.

Judges.—Nath. Wingardner, E. M. Sloan, Evan Kennedy.

St. Mary's Precinct.—Commencing at the mouth of Cross creek; thence up said creek to the head; thence due north to the military road from Fort Leavenworth to Fort Kearney; thence by the northern, western, and southern lines of the district to the place of beginning.

Election at the store of B. F. Bertrand, at St. Mary's mission.

Judges.—Dr. L. R. Palmer, Charles Dean, Rev. J. B. Duerinck.

Thirteenth District.—Election (except as hereinafter stated) at the house of Samuel J. Hard, at Hickory Point.

Judges.—H. B. Cora, James Atkinson, J. B. Ross.

Fourteenth District.—This district is divided into three precincts, as follows, viz:

Wolf River Precinct.—Commencing in the Missouri river one mile east of Mosquito creek; thence by a line corresponding to, and one mile east of, the several courses of said creek and the main branch thereof; thence by a line due south to Cottonwood spring; thence along the Pottawatomie road to the dividing ridge, two miles from the crossing of said road at Independence creek; thence due west to the line of the district, and by the westerly and northerly lines of the district to the place of beginning.

Election at the house erected by Aaron Lewis, on Wolf river.

Judges.—James M. Irvin, Joel Ryan, E. W. B. Rogers.

Doniphan Precinct.—Commencing on the Missouri river at the south line of Cadue's reserve; thence by the same, and along the dividing ridge between Cadue's creek and Lewis' creek, to Cottonwood spring; thence by the line of the Wolf River precinct, and the western and southern lines of the district to the Missouri river, and up the Missouri river to the place of beginning.

Election at the store of John W. & James Foreman, in the town of Doniphan.

Judges.—M. K. Shaw, Parris Dunning, W. L. Chudys.

Burr Oak Precinct.—Commencing on the Missouri river at the south line of Cadue's reserve; thence by line of Doniphan precinct to Cottonwood spring; thence by line of Wolf River precinct to Missouri river, and down said river to place of beginning.

Election at house of Milton E. Bryant, on St. Joseph and California road.

Judges.—Ebenezer Blackstone, Cary B. Whitehead, Osborne Hulén.

Fifteenth District.—Election (except as hereinafter stated) at the house of Charles Hays, on the military road.

Judges.—Thomas J. Thompson, E. R. Zimmerman, Daniel Fisk.

Sixteenth District.—Election at the house of Keller & Kyle, in the town of Leavenworth.

Judges.—Matthias France, J. C. Posey, David Brown.

Seventeenth District.—Election at the Shawnee Methodist Church.

Judges.—Cyprian Choteau, C. B. Donaldson, Charles Boles.

Eighteenth District.—Election at the house of William W. Moore, on St. Joseph and California road, at the crossing of the Nemaha.

Judges.—Jesse Adamson, Thomas J. B. Cramer, John Belew.

Instructions to judges of election.

The three judges will provide for each poll ballot boxes with a slit for the insertion of the tickets, and will assemble at their respective polls at or before eight o'clock a. m. of the day of election, and will make and subscribe the duplicate copies of the printed oath which will be furnished them. This oath must be administered by a judge or justice of the peace, if one be present; and if not, then the judges can mutually administer the oath to each other, which they are hereby fully authorized to do. In case of the absence of any one or two of said judges at nine o'clock a. m., the vacancy shall be filled by the judge or judges who shall attend; and if any vacancy shall occur after the judges have been sworn, it shall be filled in the same manner. In case none of the judges appointed shall attend at nine o'clock a. m., the voters on the ground may, by tellers, select persons to act in their stead. The judges will keep two corresponding lists of the names of persons who shall vote, numbering each name. They must be satisfied of the qualifications of every person offering to vote, and may examine the voter, or any other person, under oath, upon the subject.

The polls will be kept open until six o'clock p. m., and then closed unless voters are present offering to vote; and in that case shall be closed as soon thereafter as votes cease to be offered.

When the polls are closed, the judges will proceed to open and count the votes, and will keep two corresponding tally lists, on which they will simultaneously tally each ticket as it is called by the judge, who will open and call out the tickets, which must be done without handling or interference by any other person. When the votes are thus counted off, and the tally lists shall agree, the judges shall publicly proclaim the result, and shall fill up and sign the duplicate certificates of return which will be furnished them. They will then carefully replace the said tickets in one or both of the ballot boxes, together with one copy of the oath, one of the lists of voters, and one of the certificates of return, and will seal up and preserve the same, to be produced if called for. The remaining copies of the oath, list of voters, tally list, and certificate, will be sealed up, directed to the governor of the Territory, and delivered by one of the judges in person to the governor, at his office at the Shawnee Methodist mission, on or before the fourth day of April, A. D. 1855.

In the fifth district the several return judges will meet on the day after the election, at the house of Henry Sherman, on Pottawatomie creek, and select one of their number, who shall take charge of and de-

liver the returns of all the precincts. The return judges of the tenth will meet at the house of Robert Wilson, on Rock creek; and those of the fourteenth at the house of M. E. Bryant, and will make their returns in the same manner.

All persons are absolutely forbidden to bring, sell, or deal out, in the immediate vicinity of the election ground, any intoxicating liquors; and the judges of election, whenever they shall deem this regulation violated, so as to interfere with the proper conducting of the election, may order the same to be removed; and if the owner shall fail to comply with such order, may direct constables, or other proper persons, to take charge of such liquor till the polls are closed; or, in case of resistance, to destroy the same at once.

The constables of the territory will attend at their respective polls, and will hold themselves subject to the orders of the judges for the preservation of order at the polls, and securing free access for the voters; and, for this purpose, may call upon any citizens present to aid them in the performance of their duty if necessary.

Qualification of voters.

By the territorial bill it is provided as follows:

"That every free white male inhabitant above the age of twenty-one years, who shall be an actual resident of said Territory, and shall possess the qualifications hereinafter prescribed, shall be entitled to vote at the first election: *Provided*, That the right of suffrage and of holding office shall be exercised only by citizens of the United States, and those who shall have declared on oath their intention to become such, and shall have taken an oath to support the Constitution of the United States and the provisions of this act: *And provided further*, That no officer, soldier, seaman, or marine, or other person in the army or navy of the United States, or attached to troops in the service of the United States, shall be allowed to vote or hold office in said Territory, by reason of being on service therein."

By the term "white," as used in this and other laws of a similar character, is meant pure unmixed white blood. The man who has any mixture from the darker races, however small the proportion, is not regarded as a white man. This has been repeatedly decided, and may be regarded as settled. When a voter has only declared his intention to become a citizen, he must be sworn by the judges of election, or by a judge or justice of the peace, to support the Constitution of the United States and the provisions of the act of Congress, passed May 30, 1854, to organize the territories of Nebraska and Kansas. When so sworn, the word "oath" should be marked opposite his name on the list of voters; and a voter who has had this oath once administered, will not, of course, be required to repeat it.

It will be seen that the act of Congress is drawn with much care to exclude non-residents from the polls. It provides that a voter shall be an "inhabitant" and "an actual resident." A voter must dwell here at the time of offering his vote; he must then have commenced an actual inhabitancy, which he actually intends to continue perma-

nently, and must have made the Territory his dwelling-place to the exclusion of any other home.

The meaning of the last proviso, relative to the army and navy, is, that the persons designated in it shall not vote if their inhabitaney in the Territory is referable only to the performance of their duties. Lik all other persons, it is not enough that they should be in the Territory, but they must dwell in it *as their permanent home*; and the officer or soldier who would vote must have a residence here, irrespective and independent of his presence here under orders.

Every voter must vote in the election precinct where he resides, and not elsewhere. Experience has demonstrated this to be a wise regulation, and it has been adopted in nearly all the States as a necessary provision against error, confusion, and fraud.

Contested elections.

In case any persons shall desire to contest the election in any district of the Territory, they shall make a written statement, directed to the governor, setting forth the particular precinct or district they intend to contest, the candidates whose election they dispute, and the specific causes of complaint in the conduct or return of the said election; which complaint shall be signed by not less than ten qualified voters of the Territory, and with affidavit of one or more such voters to the truth of the facts set forth therein. Such written statement must be presented to the governor at his office on or before the fourth day of April, A. D. 1855; and if it shall appear that the result of election in any council district might be changed by said contest, a day will be fixed for hearing the same.

Apportionment of members of the legislature, and list of districts.

APPORTIONMENT.

The entire number of qualified voters in the territory, as appears from the census returns, is two thousand nine hundred and five. The ratio of representation in council is two hundred and twenty-three, and in the house of representatives one hundred and eleven.

COUNCIL DISTRICTS.

The first, fourth, and seventeenth election districts, containing four hundred and sixty-six voters, shall constitute the first council district, and elect two members of the council.

The second election district, and so much of the thirteenth as is embraced in the Kansas half-breed lands, containing two hundred and twelve voters, will constitute the second council district, and elect one member of council; and the voters thus detached from the thirteenth will vote at the place of election fixed for the second election district.

The third, seventh, and eighth election districts, containing one hundred and ninety-three voters, will constitute the third council district, and elect one member of council.

The fifth election district, containing four hundred and forty-two

voters, will constitute the fourth council district, and elect two members of council.

The sixth election district, containing two hundred and fifty-three voters, will constitute the fifth council district, and elect one member of council.

The ninth, tenth, eleventh, and twelfth election districts, containing two hundred and one voters, will constitute the sixth council district, and elect one member of council.

The Wolf river precinct and Doniphan precinct of the fourteenth, the whole of the eighteenth, and so much of the fifteenth election district as lies north of Walnut creek and its main branch, and a due west line from its source, containing two hundred and forty-seven voters, shall constitute the seventh council district, and elect one member of council; and the voters who are thus detached from the fifteenth will vote at the Doniphan precinct.

The Burr Oak precinct of the fourteenth district, containing two hundred and fifteen voters, will constitute the eighth council district, and elect one member of council.

The residue of the fifteenth election district, containing two hundred and eight voters, will constitute the ninth council district, and elect one member of council.

The sixteenth and residue of the thirteenth election district, containing four hundred and sixty-eight voters, will constitute the tenth council district, and elect two members of council.

REPRESENTATIVE DISTRICTS.

The seventeenth and fourth election districts, containing ninety-seven voters, shall constitute the first representative district, and elect one member.

The first election district, containing three hundred and sixty-nine voters, shall be the second representative district, and elect three members.

The second council district shall be the third representative district, and elect two members.

The third election district, containing one hundred and one voters, shall be the fourth representative district, and elect one member.

The seventh and eighth election districts, containing ninety-two voters, shall be the fifth representative district, and elect one member.

The sixth election district shall be the sixth representative district, and elect two members.

The fifth election district shall be the seventh representative district, and elect four members.

The ninth and tenth election districts, containing ninety-nine voters, shall be the eighth representative district, and elect one member.

The eleventh and twelfth election districts, containing one hundred and two voters, shall be the ninth representative district, and elect one member.

The residue of the thirteenth election district, containing eighty-three voters, shall be the tenth representative district, and elect one member.

The seventh council district shall be the eleventh representative district, and elect two members.

The eighth council district shall be the twelfth representative district, and elect two members.

The ninth council district shall be the thirteenth representative district, and elect two members.

The sixteenth election district, containing three hundred and eighty-five voters, shall be the fourteenth representative district, and elect three members.

[L. S.] Witness my hand and seal of said Territory, this eighth day of March, A. D. 1855.

A. H. REEDER, *Governor, &c.*

Attest :

DANIEL WOODSON, *Secretary.*

Table of election districts, &c.

Election districts.	Council districts.	Representative districts.	Precincts.	Counties.	Towns, townships and precincts.
1	1	2	.....	Douglas	Franklin.....
2	2	3	.....	Douglas	Lawrence.....
3	3	4	.....	Calhoun	Willow Springs....
4	1	1	.....	Shawnee	Lecompton.....
5	4	7	.....	Johnson	Tecumseh.....
6	5	6	Bull creek	Franklin .....	.....
7	3	5	Pottawatomie creek.....	Lykens .....	.....
8	3	5	Big Sugar creek.....	Lynn .....	.....
9	6	8	Little Sugar creek.....	Bourbon	Fort Scott.....
10	6	8	.....	Shawnee	" 110".....
11	6	9	.....	Davis .....	.....
12	6	9	.....	Madison.....	Council Grove.....
13	10	10	.....	Riley.....	.....
14	7	11	Big Blue .....	.....	.....
15	9	13	Rock creek.....	Marshall.....	Marysville
16	10	14	Silver lake.....	.....	.....
17	1	1	St. Mary's	Doniphan.....	Wolf river
18	7	11	.....	Doniphan	Barr Oak.....
			.....	Brown .....	.....
			.....	Atchison.....	Shannon.....
			.....	Leavenworth.....	Kickapoo.....
			.....	.....	Alexandria.....
			.....	Leavenworth.....	Delaware.....
			.....	Johnson	Leavenworth.....
			.....	Nemaha	Wyandott.....
			.....	.....	Shawnee Mission.....

* Part of 18 (in Kansas half-breed lands) voted in 3d district. Grasshopper and Mount Pleasant townships in Atchison.

† Part of 16 voted at Doniphan, 80 men.

‡ Part of 11th, 19th and 18th districts.

PROCLAMATION.

UNITED STATES OF AMERICA, }
Territory of Kansas. }

To the citizens and inhabitants of the Territory of Kansas :

I, Andrew H. Reeder, governor of the said Territory, do hereby proclaim and make known, that, under and by virtue of the authority conferred, and the duty enjoined by the thirty-fifth section of the act of Congress passed the thirtieth day of May, A. D. 1854, entitled "An act to organize the Territories of Nebraska and Kansas," I have, until otherwise provided by law, defined the judicial districts of the said Territory, and assigned one of said districts to each of the judges appointed for said Territory ; and have also appointed the times and places for holding the courts in the said districts, as follows, that is to say :

All of said Territory embraced within the following bounds shall constitute the *first judicial district*, to wit : Commencing at the mouth of the Kansas river ; thence up the Missouri river to the northern line of the Territory ; thence along said line west to the line between the eleventh and eighteenth election districts ; thence down said line to the military road leading from Fort Leavenworth to Fort Kearney ; thence along said road to the line between the twelfth and thirteenth election districts ; thence down the same and the waters of Soldier creek, along the western shore thereof, to the Kansas river, and down the same, on the southern shore thereof, to the place of beginning, including the thirteenth, fourteenth, fifteenth, sixteenth, and eighteenth election districts ; which said district is assigned to Chief Justice S. D. Leecompte, and the courts thereof shall be held at the town of Leavenworth.

All of said Territory embraced within the following bounds shall constitute the *second judicial district*, to wit : Commencing at the mouth of the Kansas river ; thence up the same, along the southern shore thereof, to the western line of the Pottawatomie reservation ; thence along the western and southern lines of said reservation to the headwaters of the Wakarusa, or the nearest point thereto, and thence directly to and down the northern shore of the same to the east side of the house of Charles Matingly ; thence due south to the middle of the Santa Fé road ; thence westwardly along the middle of said road to Rock creek : thence due south to the north line of the Sac and Fox reservation ; thence along the north and west lines thereof, and due south, to the Neosho river ; thence up the southern shore of said river, and of the north branch thereof, to the head ; thence due south to the line of the Territory, and thence by the south and east lines of the Territory to the place of beginning, to include the first, second, third, fourth, fifth, sixth, and seventeenth election districts. The said district is assigned to Hon. Rush Ellmore, and the courts thereof shall be held at the town of Tecumseh.

The residue of the Territory, comprising the seventh, eighth, ninth, tenth, eleventh, and twelfth election districts, shall constitute

the *third judicial district*; which is assigned to Hon. Sanders W. Johnston, and the courts thereof shall be held at the town of Pawnee.

The regular terms of courts shall be as follows:

At Leavenworth, on the third Monday of April and third Monday of October.

At Tecumseh, on the second Monday after the third Monday of April, and second Monday after the third Monday of October.

At Pawnee, on the fourth Monday after the third Monday of April, and fourth Monday after the third Monday of October.

Special and preliminary terms will be held at Leavenworth on Monday, the 19th day of March next; at Tecumseh on Monday, the 26th day of March next; and at Pawnee on Monday, the 2d day of April next, at 10 o'clock, a. m., at which times all persons bound by recognizance or otherwise to appear at the first term of said courts, will appear at the places so as aforesaid fixed for their respective districts; and all justices of the peace who have taken recognizances for the appearance of any person charged before them will, at or before the commencement of the said special or preliminary term, make return of the same to the clerk of their respective districts, or to A. I. Isaacs, esq., the United States district attorney.

Witness my hand and the seal of the said Territory, this twenty-sixth day of February, A. D. 1855.

A. H. REEDER, *Governor, &c.*

Attest:

DANL. WOODSON, *Secretary.*

PROCLAMATION.

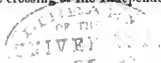
UNITED STATES OF AMERICA, }
Territory of Kansas. }

To the citizens and qualified voters of the Territory of Kansas:

I, Andrew H. Reeder, governor of the said Territory, do hereby proclaim and make known that I have erected an additional election district, comprising portions of the present eleventh, twelfth, and thirteenth election districts, to be called the *eighteenth election district*, and to include the settlements on the waters of the Nemaha, bounded and described as follows, to wit: Commencing in the Vermillion branch of the Blue river, at the crossing of the military road from Fort Leavenworth to Fort Kearney; thence due north to the line of the Territory; thence along the same east to the line of the fourteenth election district; thence south, along the line of the fourteenth and fifteenth election districts, to the aforesaid military road, and thence by the middle of said road to the place of beginning. The place of election for said district will be at the house of W. W. Moore, where the St. Joseph road crosses the Nemaha.

And further, that I have detached from the eleventh, and added to the tenth election district, the following portion of territory, to wit: Beginning in the Vermillion river, at the crossing of the Independence

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emigrant road : thence up said river beyond the house of Josiah G. Adams ; thence due east, along the northern side of the said house, to the said road, and down said road to the place of beginning.

Witness my hand and the seal of the said Territory, this 24th day of February, A. D. 1855.

A. H. REEDER, *Governor, &c.*

Attest :

DANL. WOODSON, *Secretary.*

FIRST DISTRICT.—*Lawrence.*

LAWRENCE, *Friday, April 25, 1856.*

ERASTUS D. LADD, being duly sworn, deposed as follows :

To Mr. Reeder :

I came into this Territory late in September, 1854, and have ever since resided in this town and district. I was here on the 30th of March, at the legislative election.

On the day previous to the election a number of teams and wagons loaded with armed men, and men on horseback, came into town. They were strangers here ; they came in from the south and southwest, and were preceded by two or three men, one of whom was subsequently called or passed as Colonel Samuel Young, of Missouri, who appeared to be the chief in command. I think "colonel" was his designation. They proceeded through the town, down on the bank of the river, and looked around for a time with the intention, as they stated, of encamping there that night. They had tents, and were armed ; I saw private arms, and I saw rifles and other arms of that kind, double-barrelled shot-guns, revolvers, and knives. I saw them encamped, and partaking of their provisions or refreshments ; but whether they brought them with them or not I do not know. The strangers continued to come in during the evening, and next morning there had been a very large addition made to their number.

I went to the place of voting in the morning, and was there at the opening of the polls, and remained all day, except time for dinner. A very large company came from the camp in the ravine to the place of voting and surrounded it. There was some difficulty in the organization of the board, and delay in commencing the voting. Mr. Abbott, one of the judges, resigned. A vote was offered, which I saw, and a question of the legality of the vote was raised and was discussed some time. During the discussion Colonel Young said he would settle the matter. He crowded up to the front, the place being thronged with people. The other vote was then withdrawn and he offered his vote. The question was raised as to the legality of his vote. He said he was ready to swear that he was a resident of the Territory. He took such an oath, but refused the oath prescribed by the governor. But one of the judges appointed by the governor was then acting. His oath was received. He then mounted the window-

sill and proclaimed to the crowd around that the matter was all settled and they could vote. I cannot repeat his exact words, but that was the sentiment; and they proceeded to vote. R. A. Cummings was appointed in the place of Abbott. At noon I went to their camp, and passed along the ravine from one extremity to the other, and counted the number of wagons and conveyances of different kinds then on the ground and in sight. They had then commenced leaving. I counted very near one hundred conveyances, such as wagons and carriages. There were, besides, a large number of saddle horses. I estimate that there were then on the ground about seven hundred of the party; in the estimate I do not include those who had left for other places or for home.

[Here the witness was asked to detail declarations made by the strangers, at the time of their voting, as to their intention and object in voting, and as to where they came from.

To this Mr. Oliver objected. The objection was considered and discussed by the committee, and overruled; and the witness was allowed to state all that was said or done by any of the party of strangers who voted.]

Witness resumed: Some of these men were on the ground when I went there, before the polls were opened; they came in bodies of, perhaps, one hundred at a time, and voted. The voting was prosecuted as rapidly as circumstances would permit, and continued all day.

[Mr. Oliver objected to the witness being allowed to tell whether any person voted, unless he told their names and their places of residence.]

Witness: Generally speaking, these men were quiet and peaceable; they proclaimed at all times the right of every person to vote with the rest. They were situated very compactly about the place of voting, which was very much crowded during the forenoon, so much that most of the voters, and for a long time all of them, were obliged to pass over the roof of the house, by climbing upon the window sill, and then being hoisted up on the roof. After a man voted he was hoisted up on the roof, as he could not get back through the crowd. It took myself—and I used my best efforts—about an hour to get from the outside of the crowd to the place of voting. There was a passage-way for a short time, formed of two lines of persons, through which voters passed to and from the polls. During another portion of the time, in the afternoon, they were formed in procession and approached the polls two by two, passing along in front of the window and off as they voted.

There were a large number who had arms at the polls; some few had shot-guns or rifles, but mostly revolvers and knives during the most of the day.

About five o'clock there was a company of voters proceeded from the town over to the polls in a body, perhaps a hundred, residents of the town. The large number of persons who had been about the polls, and who were from Missouri and abroad, had left the polls, and they were comparatively clear. Most of those in teams had left the place during the afternoon, though many still remained. When these residents were coming over I was by the polls, and I saw some start

from the polls in their direction; Mr. Wade was one of them, and I followed out that way. He called them up and hallooed to them to come on; then they took their larger arms and came on.

Question by Mr. Howard: Who was this Mr. Wade?

Witness: He lived near here, and was a candidate for the legislature. I heard a conversation a short distance from where I stood, and approached pretty nearly. I stepped up on a small rise of ground and saw quite a violent contest going on, of which Mr. Stearns of this place was the object. It was a contest of words and threats but not of blows or force; while it was going on, I heard some one cry out "There is the Lawrence bully." A rush was immediately made in another direction, towards Mr. Bond of this town, and a cry was raised to shoot him; "shoot the damned abolitionist," "shoot the damned bully," &c. He ran for the bank of the river, and the crowd followed him. During the running I think one or two shots were fired. When he got to the bank of the river, he sprang off out of sight. They rushed to the bank, and guns were pointed at him while below. But the cry was raised to let him go, and he was permitted to go on without being fired at.

Another circumstance occurred in the latter part of the day. Mr. Willis, who was then a resident of this town, was on the ground, and a cry was raised that he was one of the men concerned in abducting a black woman about which there had been some difficulty in the town a short time previous. Several men raised the cry to hang him. Some were on horseback, and some were on foot. Movements were made towards him by strangers armed with rifles and smaller arms. The cry was repeated by a large number of persons to "hang him," "get a rope," &c. At the suggestion of some friends he left the ground.

Question: How many citizens of the district voted on that day to the best of your judgment and belief?

[Mr. Oliver objected to the legality of that question; and objection sustained until the witness stated his means of information.]

Witness: I was tolerably well acquainted, particularly with this portion of the district, but not particularly acquainted with the lower extremity of the district.

In frequent conversations which I had with different persons of the party during the day, they claimed to have a legal right to vote in the Territory, and that they were residents by virtue of their being then in the Territory. They said they were free to confess that they came from Missouri; that they lived in Missouri, and voted as Missourians. Some claimed that they had been in the Territory and made claims, and therefore had a right to vote. But they did not claim to be residents in the Territory, except that they had a residence here from being at that moment in the Territory.

They had mostly left before sundown, I think. There were some here the next day, who were said to have come in from some other point.

They left during the afternoon, in single bodies, continuously, one after the other, but not in a compact body. It seemed to be their course, when a wagon-load had voted, to get in their wagons and start away from town. They commenced moving before or about noon.

Mr. Reeder stated that he was through the direct examination.

Witness desired it to be understood that when estimating the number of strangers here at 700, he judged at the time he counted the wagons, but did not mean that that was all that had come here.

In reply to Mr. Sherman :

I cannot state who fired the pistols at Bond. The cry "shoot him" came from just immediately about the men who came here from Missouri to vote. The citizens were not generally armed. There were a few, I think, who had revolvers with them, but I saw none exposed. The general claim made by the Missourians was that they were residents of the district and consequently had a right to vote.

Cross-examined by Mr. Oliver :

I cannot give the names of any others than Col. Samuel Young that voted from Missouri. I do not remember the names of any others that I learned ; I was present and saw the names of others recorded. I cannot say how many—possibly 50 or 100. No effort was made on the part of any person from Missouri to intimidate the people and drive them from the polls, except the personal conflicts I have named.

As I have stated, a cry was raised at the first movement, "there is the Lawrence bully," and a rush was made toward him. I did not understand that it referred to any name which had been presented at the polls. The difficulty with Mr. Bond occurred about three or four rods from the polls. I did not understand that the object was to prevent his voting.

I understood the difficulty with Mr. Willis had no reference to his voting. The only hindrance to voting that I saw during the day was the crowd pressing round so as to prevent many from voting ; I heard of no threats with direct reference to voting ; it was frequently remarked by those present that all had a right to vote. I heard it said that they had as good a right to vote as many who had arrived from the east and were voting.

There were people arriving all the time. There may have been 100 arrived at this place within two weeks prior to the election ; I will not state definitely, because my mind is not clear upon the subject ; there may not have been so many. So far as I know, persons particularly interested in this election were looking anxiously for the arrival of persons from the east and north in view of the election. I cannot name any of those persons who voted. Some of them came under the auspices of the Emigrant Aid Society. There were persons arriving at that time, both before and after the election. I am not clear as to how many arrived before the election.

I did not understand that the Missourians referred exclusively to those who had just arrived, but to all who had arrived. The proclamation that all had a right to vote was made in conversation ; they announced that as their opinion as individuals.

Colonel Young's vote was received ; and I understood, as I stood near the polls, that he took an oath that he was a resident of the Territory. He stood on the window-sill and said it was all right, that it was all settled, and they could vote. I do not recollect that I understood him to state that he took the oath ; I saw what I thought was

the taking of an oath; the movements so indicated, though I did not hear him take it: I supposed such was the case from appearances.

I am aware of the fact that some did leave who had recently arrived before that election; I cannot say whether they ever returned and became residents.

The candidates looked anxiously for these emigrants, because it was expected an invasion would be made into the Territory by voters from abroad, and, also, that as large a free State vote should be polled as possible. I am not prepared to say that the latter was the chief consideration. I understood from these persons that their purpose in coming to the Territory so early in the spring was that they came out here to settle, and that they might be present at the day of the election. I know of some of those who had recently arrived who voted: I can only approximate their numbers; I should think there were from 50 to 60. I think there were some who had arrived within 48 hours; I cannot say as to whether they made settlements in the Territory in that time. I know that some objected to voting these for that reason, that they had made no settlements. I cannot say that those who voted had made no settlements, nor can I say that any who actually voted returned east. Many of those who were in this vicinity when I settled here, a year ago, are now in other parts of the Territory. There were a large number who arrived in this part of the Territory under the auspices of the Emigrant Aid Society last season who returned, but I cannot tell how many.

There was a disturbance in progress, if I recollect right, at the time the Bond disturbance originated. It was in relation to Mr. Stearns of this place, who was on the ground, it was said, taking notes which he intended to publish in the New York Tribune. This disturbance was not in reference to his voting, or of anybody else. So far as I observed all of the Missourians were armed at the polls, but not all of them with their larger arms, but with their side arms, revolvers, and knives. I think some of the citizens of the town had arms.

By Mr. Sherman:

Judging from the conversations referred to in my cross-examination, the persons who came here from the northern and eastern States came here to become settlers, so far as I know. I can state from my own knowledge that some of them returned because they were dissatisfied with the country, and disappointed in the circumstances that existed here.

I think there were citizens kept from voting by the condition and surrounding of the polls. I was told on the day of the election that there were a large number here to vote who came from Hickory Point, who returned in a body without voting. I saw some who resided there. I did not see any of them vote. I cannot state what number of legal resident voters did not vote on account of the troubles, without examining the poll lists and census rolls.

To Mr. Oliver:

They were kept from voting only in consequence of the crowd and the difficulty in getting to the polls.

To Mr. Reeder:

The Missourians did not claim to be residents here from their inten-

tion to remain here, but that their mere presence created their residence. I do not remember that I heard any of them say that they were here with the intention of remaining. I do not know of any man who came here from the northern States for the mere purpose of voting, and I never heard of one.

The side arms of these strangers from the camp were exposed, some of them openly exposed, others partially so. There did not seem to be any careful attempt to conceal them. I want to qualify a little what I said in regard to men coming out here under the auspices of the Emigrant Aid Society. I do not know of my own knowledge that they so came out here, but it was so reported commonly and in the public prints. That is the extent of my knowledge.

To Mr. Oliver:

I think I heard some of them say that they did; that they came out as members of certain parties that left Boston at such and such a time under the auspices of such a society.

To Mr. Reeder:

I can merely state what I have heard, that the Emigrant Aid Society has an office in Boston, with an agent, to give information by means of which companies are organized for settlement in Kansas. The action of that agency, in addition to thus collecting them together, consists in sending an agent with the companies to make arrangements with the different lines of travel, by which their expenses are somewhat reduced, and they are furnished with mills and other matters to assist them. But they pay their own expenses out here, and these mills are, not furnished gratuitously, but merely built by the society. I mean by "organized for settlement" that the organization simply has reference to economy in travelling out here, but not to any continuance after they got here.

To Mr. Oliver:

I am not aware that it is made a condition of the Emigrant Aid Society that those who come under its auspices should be free State men. I know of one individual who is said to have come out under these auspices, who is now understood to be a pro-slavery man. I do not know what he was when he came.

E. D. LADD.

LAWRENCE, K. T., *April 25, 1856.*

Mr. E. D. LADD recalled.

To Mr. Sherman:

I have examined the poll books of the election of March 30, 1855. My means of knowing the legal voters are, that I have been a resident here from the first settlement of the place; I had started a private post office in town for the convenience of the country about, and in that way had become familiar with the names of those here, and also through the medium of being register of claims.

Question by Mr. Sherman: Please take the poll book for this district of the election of March 30, and furnish us a list of those whose

names are on that poll book who were at that time residents of this district. Please designate also those who were here when the census was taken from those who came here to reside after that time and before March 30. For this purpose examine carefully the census rolls in connexion with Mr. Babcock, who took it, and Mr. C. S. Pratt, the clerk of the election. Take time to prepare the lists and attach it to your testimony before it is signed.

Answer. In connexion with Mr. Babcock, who took the census, and Mr. Pratt, the clerk of the election, I have examined the census returns and poll lists of March 30, 1855, and from these and our knowledge of the residents, we find that of the residents who were here when the census was taken, 177 voted. The list marked "A," contains their names. There are 192 settlers, whose names are in the census list, who did not vote, or, at least, their names are not in the poll lists. We find in the poll book the names of 55 resident settlers in this district, but who came after the census and before the election. This list, marked "B," contains their names. There are, perhaps, 50 others, and perhaps more, who came into the Territory in the spring of 1855 as settlers, and who are now residents of different parts of the Territory, many of whom we know. The others in the poll list were not residents, as I believe.

E. D. LADD.

LAWRENCE, K. T., May 1, 1856.

A.

Names on census-roll and poll-book, (District No. 1,) for March, 1855.

Stillman Andrews	Albert F. Bercaw
Samuel Anderson	John M. Banks
Ellmore Allen	Thomas Burge
Norman Allen	Thomas Brooke
Asaph Allen	Noah Cameron
William D. Atwood	Hugh Cameron
Calvin Adams	Hiram Clark
Robert Allen	James S. Cowen
John Baldwin	John W. Carlton
Lazarus S. Bacon	Edward Clark
William N. Baldwin	John S. Crain
George W. Brown	C. H. Carpenter
Henry Bronson	Simon Cook
David C. Buffum	James P. Corl
Jonathan Bigelow	William Corl
Horatio N. Bent	Henry Corl
Eli W. Burnett	E. A. Colman
Ellis Bond	Clark S. Crane
Theodore E. Benjamin	R. A. Cummins
C. W. Babcock	Luke Curlew
Napoleon D. Blanton	William Curry

Joshua Cummins	E. B. Johnston
James H. Crooks	Charles Jordan
John Doy	James A. Jackson
S. B. Lindley	Frederick Kimball
John H. Dean	Samuel Kimball
James A. Davidson	Samuel Kennedy
Carlos Day	William Kitchingman
S. H. Davis	Wilder Knight
John C. Davidson	G. W. Kent
George F. Earl	Otis H. Lamb
William Evans	E. D. Ladd
James S. Emery	John A. Lowry
Thomas Emery	George S. Leman
L. J. Eberhart	William B. Lee
Ed. P. Fitch	William Lyon
S. H. Folsom	N. B. Lewis
J. H. Firman	Samuel Y. Lane
John Fry	George Long
James Garvin	George Lewis
James N. Gleason	John H. Lewis
Joel Grover	Daniel Lowe
John C. Gordon	John S. Mott
H. D. Graves	H. S. McClelland
George Gilbert	John C. Mossman
Levi Gates, jr.	Jonathan Matthews
Thomas S. Garvin	Thomas J. Murray
George Graves	John H. Miller
S. C. Harrington	John Mack
John Hutchinson	B. F. McDonald
O. A. Hanscom	J. F. Morgan
M. M. Hammond	Harrison Nichols
G. W. Hutchinson	J. B. Nichols
N. F. Herrick	William H. Oliver
William Hale	A. C. Pomeroy
Franklin Hascall	C. W. Persall
John Hutchinson	Caleb L. Pratt
L. D. Hubbard	G. B. Page
William A. Holmes	David Pennington
Thomas Hopkins	Hugh Pettingill
H. A. Hancock	S. J. Pratt
John S. Hopper	A. J. Payne
Simon Hopper	John Perott
B. F. Hopper	J. S. Percival
D. B. Hopper	Thomas F. Reynolds
F. Hill	Charles Robinson
Edward Jones	G. W. Reed
Theod. Johnson	William Randolph
Benjamin Johnson	James H. Reid
Alphonso Jones	Albert D. Searl
Ira M. Jones	Nicholas Snyder
S. G. Johnson	O. D. Smith

John Speer
 John Smith
 Henry Smith
 N. B. Short
 J. E. Stewart
 S. M. Salters
 Thomas J. Stone
 J. E. Stewart
 James Sullivan
 S. N. Simpson
 Ab. Still
 Daniel Sayre
 Clark Taft
 Francis O. Toller
 J. B. Taft

L. F. Tappan
 John C. Wood
 William C. Wood
 Harrison Williams
 S. J. Willis
 J. H. Wilder
 S. N. Wood
 J. J. Whitson
 Sol. Wildis
 Ed. Winslow
 A. B. Wade
 J. F. Wilson
 James Whitlock
 William Wallace
 Rufus H. Wateman

B.

Names of those on poll-list and not on census-roll whom we know to have voted at the election of 30th March, 1855.

James Christian
 Sam. Merrill
 G. W. Deitzler
 H. E. Babcock
 Thos. Still
 John Wallace
 Clark Stearnes
 Oscar Harlow
 J. W. Ackley
 James Coyle
 C. G. Hoyt
 Martin Adams
 E. A. Landon
 Horatio Dunbar
 O. T. Bassett
 Geo. Churchill
 F. B. Ackley
 C. F. Doy
 J. A. Ladd
 E. H. Dennett
 Increase Whitcomb
 George Perrin
 A. B. Perrin
 Sam. Reynolds
 J. L. Baldwin
 Abram Wilder
 Joshua Smith
 Chas. S. Campbell

Jacob E. Strout
 Adam Weillhart
 L. Litchfield
 Chas. L. Wilber
 Geo. O. Willard
 P. R. Brooks
 David Brown
 Lyman Allen
 Jos. G. Fistler
 E. F. Knight
 H. W. Taber
 Abner Davidson
 F. P. Vaughan
 S. B. Sutherland
 G. W. Goss
 E. S. Seudder
 John Lyon
 J. Curlew
 Wm. Harris
 Chas. Harrington
 B. G. Livingston
 C. F. Keyes
 Amos Trott
 Jos. C. Miller
 Chas. Dickson
 F. J. Locke
 Wm. Yates.

C. W. BABCOCK recalled.

I assisted Mr. Ladd and Mr. Pratt in making out the lists of voters from the poll-lists and census rolls, and whose lists referred to in Mr. Ladd's testimony are correct to the best of my knowledge. I have heard his statement in regard to them and concur in it.

C. W. BABCOCK.

LAWRENCE, K. T., *May 1, 1856.*

C. S. PRATT recalled.

I assisted Mr. Babcock and Mr. Ladd in making out the lists of voters from the poll-books and census returns, as referred to by Mr. Ladd in his testimony. Those lists are correct to the best of my knowledge. I have heard the statement of Mr. Ladd in regard to these lists and concur in it. I was one of the clerks of the election of the 30th of March, 1855.

CALEB S. PRATT.

LAWRENCE, K. T., *May 1, 1856.*

NORMAN ALLEN called and sworn.

To Mr. Reeder :

I came into this Territory about the last of September, 1854, and settled in the town of Lawrence, and have resided in this district ever since. I was here on the 30th of March, 1855. Several days previous to that time it was currently rumored here that there were bodies of men organizing in the State of Missouri, for the purpose of controlling the elections here. On the 28th of March it was reported that a body of about 600 men were encamped on the Wakarusa, about six miles below here. On the 29th companies were constantly arriving here, consisting of strangers, some on horseback and some in wagons, from three to a dozen in company. Some of them came into town; others passed through to the second ravine, west of the town, and there encamped. There were a large number of strangers in town, who said they came for the purpose of voting and controlling the elections. Many of them told me this in conversation with them. They said they considered they had a right to do so from the law, which gave residents the right to vote, and that they were residents while they were here. I went out to their camp on the night of the 29th, and strolled around from one camp-fire to another, and had some conversation with persons there. At one of the camp-fires they asked me what county I came from. I told them I was a resident of Lawrence, and they would converse with me no further. As I passed on, the cry of "spy" was raised. A few moments after a person cried "*Oyez, oyez*"; all the companies are

requested to meet at Captain Jackson's camp forthwith on important business." I followed them in that direction. A company from one of the camp-fires came, headed by music; a man beating a drum came in. After they had all congregated, there were several speeches made by some of the strangers whom I did not know. One of them I recognised as Colonel Young, but I never heard his other name. They said they were satisfied that the citizens of the town and vicinity were not going to offer any resistance to their voting, and that they had a larger number of men than was necessary to control this election, and they wished about 200 of the young men; the old men being fatigued with the travel, would volunteer to go to the next district. Quite a number volunteered while I was there, and when I left and came away they were making up a company.

The next morning I went to the place where the election was to be held; I went about 8 or 9 o'clock. I found a large body of men assembled there—many of them with guns, and most of them armed in some way. There was a dense body of men against the side of the house, near the window where the votes were to be received. I got as near to the window as I could by crowding in, and found that there was a delay occasioned by one of the judges, Mr. Blanton, failing to appear, and they were selecting another in his place. I believe Mr. R. A. Cummins was chosen. The man that I recognised as Colonel Young then offered his vote, which the judges refused to receive, considering him a non-resident, unless he would swear in his vote. I could not understand all the conversation, but I understood enough of it to learn that he refused to take the oath prescribed by the governor. I thought he took an oath; and afterwards, in speaking to those who were present, he stated that he had taken an oath. I heard Mr. Abbott, one of the judges, questioning him; he asked him if he intended to make this his home, and the reply was that it was none of his business; that he was a resident of the Territory, and that was all the law required. After he had voted he got up into the window and made a short speech, stating what kind of an oath he had taken—simply that he was a resident of the Territory. He said other things which I do not now remember.

There was such a crowd at the polls that it took me nearly an hour to get to the window to offer my vote, though I was assisted very much by people leaving the window at the time of the disturbance connected with Mr. Bond. At one time two lines were formed extending several yards from the house, under the superintendence of Colonel Young and Captain Jackson. They stated that they wanted the old men to go in first, as they were tired and wanted to return to the camp. As I was in a hurry, I went in with the old men. I was ordered out, but did not leave, and went in and deposited my vote. After the men had voted, a large number decamped, and I saw them passing through town that afternoon on their return towards Wakarusa. Some three hundred, I think, remained in camp that night, and left the next morning in the same direction. I saw none after 10 o'clock the next day. I cannot tell how many wagons there were, but I should think there were over one hundred in all. I counted as high as twenty coming in at one time in a string. They

were generally armed with rifles and shot-guns, and many of them had belts with bowie-knives and revolvers exposed, though some were somewhat concealed by coat-skirts. I saw a large number vote who came in this way, and were principally strangers to me. I do not remember of seeing but one who was a resident of Missouri vote whom I knew. His name was Mr. Cole, from Kansas City, Missouri. I do not know as I should remember his name if he had not dared me to challenge his vote.

Cross-examined by Mr. Oliver:

I do not know the name of but one from Missouri who voted that day. He was Mr. Cole, the only one I knew, that I saw vote. I should think there were some 400 or 500 at the polls who were armed with shot-guns and rifles. They made no demonstration with their weapons. In conversation with them the night before, and on the day of the election, they stated, generally, that there would be no difficulty unless citizens tried to interfere to prevent their voting, but they were determined to vote. I do not remember hearing them say that there were many here who had recently arrived from the eastern and northern States who had no right to vote. I heard Colonel Young say, particularly, that he was anxious to have the citizens vote so as to give the matter a look of fairness. I saw no force used to restrain or intimidate the citizens from voting. I do not know how many persons had arrived recently from the eastern and northern States; but I think that, a day or two previously, a party of something like one hundred persons arrived here. None of them voted so far as I know. I do not remember any disturbance connected with the election, excepting those already stated. Judging from conversations with different members of the parties encamped here the night before the election, I should think there were from 800 to 900. I should think there were nearly one hundred camp-fires. There were but three whom I know: Claiborne F. Jackson, Mr. Cole of Kansas City, and Mr. Wafal of Westport. Mr. Coles and Mr. Young were the only ones I saw vote. The Missourians said they expected assistance here, but were satisfied that none would be offered.

Question by Mr. Sherman. How many on the poll-book, of which here is a copy, are there of residents of this town before your name, which is No. 58?

Answer. R. A. Cummins, Hugh Cameron, J. B. Abbott, C. S. Pratt, J. Christian, Lucas Corlen, Mr. Sullivan, John J. Lowry, and D. Farrington, are all I see.

My occupation was a merchant. I am from Missouri here. Two years before, I came from New York.

To Mr. Oliver:

I knew of some recent arrivals from the east, who returned afterwards. They were constantly arriving and returning, both before and after the election, for several days, and one company returned about eight o'clock the morning of the election, before the polls were opened. I think that not more than one half who came out that spring remained here. I think that perhaps three hundred or four

hundred came into this district last spring, about half of whom left before and after the election.

To Mr. Reeder:

I think that no residents of this district got to the polls readily and easily while I was there. Those who appeared to be leaders then made lines reaching from the window on each side, so that they could allow such persons to go up to the polls as they wished. Mr. Claiborne F. Jackson stated that they wished the old men to vote first, as they were tired, and wished to return to the camp. I do not know whether Mr. Cole voted in his own name or another; I simply saw him pass in his vote, when he was then lifted up on the roof the building, and passed out that way. I think there were from eight hundred to nine hundred Missourians in camp before the two hundred were detailed for the second district. I should think there were about one hundred persons arrived from the east shortly before the election, who came here for the purpose of settling. I should think about one half left here—some the day they arrived, and others in a longer time afterwards. Some left before the day of election, and some the morning of the election, before the polls were opened. The accommodations here for emigrants were not very good—not equal to their numbers, and many complaints were made because they did not find things as they expected, and they left, many to settle in other parts of the Territory, and others to return to the east.

To Mr. Oliver:

I am not able to state definitely the number of females who came in the emigration of last spring. I should think there were more than one lady to ten men. I saw some companies consisting of men with their wives and families; one from Pennsylvania, of fifteen to twenty teams.

To Mr. Reeder:

It has been frequently the case that men have first come here, made their selections, sometimes built houses, and then returned for their families. In the earlier days of the settlement of this Territory a smaller proportion of the settlers brought their wives with them than is the case now. I have known cases of families returning, but do not recollect the number.

To Mr. Sherman:

I did not see any women with the company of Missourians who encamped here the day before the election.

NORMAN ALLEN.

LAWRENCE, K. T., *April 25, 1856.*

WILLIAM YATES called and sworn.

To Mr. Reeder :

I came into the Territory in August, 1854, and settled in this district, where I have resided ever since. I came from Illinois, stopping two or three months in Cass county, Missouri. I was here on the day of the election of the 30th March, 1855. On the evening before the election there was a large number of persons who came in on horseback and in wagons, and encamped across the ravine and remained until after the election. On the evening of the 30th of March, along towards night, a great many of them started back down the country. There were encamped there, as near as I can guess, about six or seven hundred. There were some two hundred detailed in the evening—so I was told in the camp—to go to another district, as report said they wanted help there, and they sent them. I heard them say this in the camp. I went into the camp, and heard them say that they came up from Missouri purposely to vote. Some in the camp I was acquainted with. I was acquainted with one man particularly, whom I knew by sight, that I fell in with a year or eighteen months before, coming up from New Orleans, who lived in Howard county. I did not know his name, but recognised him, and he recognised me; and he told me he still remained in Howard county. There was another man, named Snowdy, who lived in Carroll county, and others that I knew by sight but not by name. They said nothing more about their intention than that they came here to vote.

I did not see any but what had a bowie-knife, revolver, shot-gun, rifle, or something of the kind. As far as I knew they brought with them the fodder for their animals. There was a lot of provisions deposited in a building used as the old post office, that was said to be for their use. It was the house of William Lykins.

I was at the election on the 30th. I cannot say whether all the men from the camp voted or not. There was a great crowd around the window all day until an hour by sun, or perhaps later. I did not go to the polls until perhaps nine or ten o'clock. They were crowding around, but I did not see all of them vote. It was very difficult for me to get to the polls. I made one or two efforts, but did not get there, and declined voting at all, but was over-persuaded by some of my friends here to vote, and staid around until late in the evening, until the crowd had dispersed, and then voted.

I saw none in the companies that had encamped there that were settlers in the district at that time. I believe I knew almost every man in the district. This large body of men were all strangers.

They had music, but I do not remember about the flags, though I am of the opinion that they had some. They had a drum and a fiddle; a black boy was playing the fiddle, and some man beating the drum.

Cross-examined by Mr. Oliver:

I could not tell how many I was acquainted with. I knew some ten or a dozen by sight, and some by name. I could name several, though I did not charge my mind with them. I could perhaps name

more upon sight now. I knew Mr. Snowdy and Mr. Robinson, from Jackson county, I think, and Mr. McGee, from Jackson county. These are all that come to my memory now, with the exception of Colonel Young, whom I knew by sight. I had conversation with some of these gentlemen. They said they came here for the purpose of voting. They said it was for the purpose of electing a legislature to suit themselves. I think they did say that they had understood, and believed, that there were a number of persons not entitled to vote who would vote to establish principles different from those they desired to have established in this Territory.

I don't think anything was said in camp that night about legal or illegal voting. They said there were a great number of persons here from the east and north who wished to elect a legislature here they did not desire. They said they would elect a legislature to suit themselves, because the people of the Territory would not elect a legislature to suit them. I don't state this as a fact, but as near as I can recollect. I think they said they had as good a right to vote as men who came from other States. I heard them say there were men here from the east and north who came here to vote. They said that these men had come here for no other purpose, and that they had as much right to come here and vote as the others had; and that was the reason they gave for coming here.

They were armed. There was no violence offered, but crowding and pushing. There was a larger crowd there than I had seen in the Territory before. I don't think I ever saw quite so much crowding and pushing at any other election in other places. I did not see any violence used or weapons drawn.

Mr. Sherman. Look at this poll-book and state the number of your vote.

Witness. It was 881. I do not live in town; I live in the country. I am a farmer, and raise stock. My means of knowing the people here was that the country was thinly settled. I had considerable stock, and was riding through the Territory a great deal, meeting persons here and there.

WM. YATES.

LAWRENCE, K. T., *April 25, 1856.*

WM. B. HORNSBY produced and sworn.

To Mr. Reeder:

I came into the Territory about the 17th day of August, 1854. I resided formerly in Johnson county, Missouri. I settled on the California road, one and a half miles west of here, in this district, and have resided in this district ever since. I was here on the 30th of March, 1855. On the 28th and 29th of March there were about one thousand came into this district from Missouri, they said: some came in wagons, some on horseback. I do not know who their leader was, but believe it was Claiborne Jackson. A great many of them were armed—the principal part of them. They were all men, in my opinion. They

had drums, and fiddles, and flags. I saw no artillery or cannon. They encamped across the ravine near here—at Wade's. I was in a part of their camp—a small portion of it. I saw there Lewis Glover, who lived in Lafayette county, Missouri, Redman Robinson, of Jackson county, Missouri. There were a good many others there I knew, but I cannot now remember their names. They were from Missouri. I was pretty well acquainted with this district at that time. None of the men I saw there lived in this district, so far as I knew. They said they had come here to vote; some of them said they did vote. That was said after the election. They said they had a right to vote here; that this country belonged to Missouri, and they would vote. I heard no speeches made in the camp. A detachment was sent off the night of the 29th to a district above here. They said there was not enough went up there to carry the election in that district. I saw the same men at the election voting. I was not in the camp till the morning of the 30th. I saw a great many of them going up to the polls with tickets in their hands; they said they were going to vote. They left here, part that evening and part the next morning.

To Major Oliver:

I am not acquainted with Claiborne Jackson; I am not sure that he commanded the company; I heard it said that he did; I resided since August, 1854, in this district; I had conversations only with a few; I had knowledge of some of them. I conversed with Calloway Adams; don't remember only part of what he said; he said he did not come here to vote—he was not old enough. That is all that I conversed with; only a few words to others, that I don't remember. I think it was said that there were about a thousand; I saw the men; did not count them; I merely spoke to Lewis Glover; had no conversation with Redman Robinson. I saw some of them giving in their tickets; did not see Robinson, nor Adams; I was out in the crowd about the windows; was not old enough to vote; don't know who they voted for. I said, that they said they had come here to vote. I heard them say their reasons for coming was that they had a right to vote; I heard them say at the polls that they had as good a right to vote as others that had recently come into the Territory from other States; they said that persons from the east had no right to come here and settle, and no right to vote; does not remember who made the remark that Kansas Territory belonged to Missouri; heard it in camp. My age is twenty-two years now.

Re-examined by Mr. Reeder:

It was said that Jackson was the leader; I do not recollect when; I heard the expression from several, I don't know how many, that persons from the east had no right to come here and settle, and no right to vote.

WM. B. HORNSBY.

LAWRENCE, K. T., *April 25, 1856.*

II. Rep. 200—9*

F. P. VAUGHN produced and sworn.

To Mr. Reeder :

I came into the Territory of Kansas on the 26th of March, A. D. 1855, and into this district on the 27th of the same month. I have been here ever since. Previously I resided in Macon county, Missouri; had lived there about fourteen years. I saw some stir about something before I left home; saw some persons going round about the county seat, taking certain persons out and speaking privately to them. On my way to Kansas I stopped a few days in Lynn county, Missouri; there seemed to be a good deal of excitement there in relation to Kansas elections. I saw several persons from Macon county there; they said they were on their way to Kansas. I passed on towards the Territory, and as I travelled along I saw different individuals whom I knew. Stopped a few days in Ray county, Missouri; there was more excitement there than in the other counties through which I had passed. I then came on to Clay county, Missouri, and saw a young gentleman, who said he himself was coming up to Lawrence—that there were a company of three hundred others coming to vote; said they certainly would vote if the Yankees were allowed to vote, and that if any resistance were offered, there would be a fuss; that the slaveholders of that county had offered to pay the expenses of three hundred, and that he was one of those who had been engaged to come; and that this three hundred would be sufficient for fifteen hundred votes, if they did as they had done in former elections of the Territory; that he knew of several men who, at former elections, had voted fourteen or fifteen times apiece, by changing their hats and coats and voting in the name of their neighbors; that all of them had voted four or five times apiece.

I crossed the river the next day with about a dozen men. One of them seemed to be a leader; said my ferrriage would be paid if I was coming to vote. From that time until I got up to this district there were crowds of persons coming up in carriages, wagons, and on horseback, and some walking. I passed some words with some of them. In coming out this side of Westport I was challenged to know where I was from. The person with whom I was speaking said that they were from Independence, Missouri, and we are going up to vote—we are.

I stayed all night at Mill creek; there was a camp of Missourians there, as I understood; they were hallooing and keeping up a noise all night. Next morning I had a conversation with one person, whom I supposed to be of the same camp; he said he had laid a claim in the Territory, and that he had a right to vote, although his family were not there. I was here on the day of the election, on the 30th of March, 1855. I saw several men that I had previously known; they were the Rev. Mr. Dysart and Mr. Morrow, of Macon county, Missouri, and a Mr. Mayo, of Randolph county, Missouri, and Mr. Hunson, or Huston, of Carroll county, Missouri. I saw these men at the place of voting, in Lawrence. I was not in the camp. It is about two hundred miles from Macon county to this place, but not so far to Carroll county.

I saw the body of men that camped near this town. I have never since seen the men from Macon, and Carroll, and Randolph counties.

Cross-examined by Mr. Sherman :

I do not know the name of the young man whom I saw in Clay county ; his father lives on the road from Liberty to Randolph. I do not know that he voted, but he was present at the polls in Lawrence on the day of election, on the 30th of March, in company with the Missourians. When we crossed the Missouri river, at Randolph, the one I took to be the leader said the ferryage bills would be footed by the persons sending out the company. I do not know who the head man was ; the company did not, to my knowledge, pay ferryage, but a list of their names, or their number, was given to the ferryman.

To Mr. Oliver :

I think the young man before alluded to lived about six miles from Liberty ; his father lived in a weather-boarded house ; there was a small room north of the main building, and a passage between. I came to this district to look around, and stay if it suited. Some excitement prevailed in Linn county. I understood the cause of the excitement in those far-off counties to be that they were fearful Kansas would become a free State. But when I reached Ray county I understood this to be the cause of the excitement. It was reported that large numbers of eastern men were coming on the boats to Kansas Territory, to be present at the elections on the 30th of March. I understood several to say that they would vote, if the Yankees or northern men voted.

I heard some of the people of Missouri say that they were willing to leave the whole question to be settled by the *bona fide* settlers of the Territory ; others expressed a different feeling. A great many persons in Missouri are opposed to the Missourians coming here and meddling with the elections of Kansas.

F. P. VAUGHN.

LAWRENCE, K. T., April 25, 1856.

GAINS JENKINS produced and sworn.

To Mr. Reeder :

I was coming up from Kansas City, on the morning of the 31st March, 1855. After leaving Westport, about two and a half miles from there, I began to meet crowds of men, and as I approached the timber this side of the Baptist Mission I was frequently detained as much as fifteen minutes, allowing them to pass in the road ; a good many of them were quite wild and uproarious, and seemed to enjoy themselves, frequently asking if I had seen Governor Reeder. Some of them said that if he did not sanction that election they would hang him in the first tree, or something like that. I heard it so frequently, I cannot give the precise words ; it was a general remark from the wagons at Ham's. At Mill creek they had been nooning ;

and then there was a pretty general expression, asking if I had seen Governor Reeder ; they said they were going into the Mission. I told them that I supposed he was at the Mission ; they said they were going in, and if he did not sanction the election, they would run him up to the first tree, God damn him ! They had been drinking ; they stated that they had been at the election ; they stated that they had elected Chapman to the council, and named one or two others that I was not acquainted with. I recognised Cole, as one I was acquainted with ; it was he that made the remark that they had elected Chapman. I recognised others as being from Jackson county, as persons I had seen. These persons were armed ; some had guns in their hands—no side-arms as I remember. Chapman was a candidate in this district. The party was chiefly in wagons—more than half—the rest on horseback. After leaving Mill creek, there was very little said to me ; but I continued to pass them until four miles this side of Mill creek, some eight miles in all ; and straggling parties to Fisher's, some thirteen miles further.

Cross-examined :

I did not know these men ; I recognised but could not name them ; I saw Mr. McGee as one of the party, but heard him say nothing—the one that lives in the brick house beyond Westport ; his first name I think is Allen.

GAINS JENKINS.

LAWRENCE, K. T., *April 25, 1856.*

GEORGE W. DEITZLER produced and sworn.

To Mr. Reeder :

I saw two persons here from Glasgow, Missouri, on the day of the election ; they came on the day before ; one was Thomas Crews, keeper of the Glasgow house ; his father keeps it ; the name of the other I do not recollect. Mr. Crews called on me the day before the election and talked over matters ; he told me the boys were coming to vote ; I told him I thought it was wrong ; he said that was no consideration with them—that they were bound to make Kansas a slave State, or there would be trouble. I asked him whether he intended to stay here ; he said no, he might at some future day go over to Kansas. He told me their party were from Missouri ; there were only six from Glasgow. He told me about four hundred were on the Wakarusa ; this was when he came in the day before. I said, suppose the judges refuse to receive your votes ? He said, in that case, damn them, they would choose others. I said there might be trouble. At this time he took my hand and said I should not be hurt ; that he would be around. I did not see Crews vote here ; I saw him with a party of Missourians that afternoon, and I saw him the next morning with the party at the polls ; with the other persons I had very little conversation. I asked him what brought him up here ; he said he came with the boys. I asked him what for. He said he came to vote. I also met Mr. Linney here, who was introduced to me on board

the boat as a member of the Missouri legislature. I don't know of my own knowledge he was a member ; he was introduced to me by Colonel John Doniphan, of Weston ; I saw him here on the morning of the election. I told him, from what I had seen, I expected a great many up, but had no idea I should see him here. Oh, said he, we came here to teach you your interests.

The first party of Missourians encamped on the bank of the river, close to town ; they afterwards collected on the ravines ; next morning they came in thick. I came to town rather early, and found the place where the election was to be held surrounded by these strangers ; I knew them to be strangers from the fact that they wore white ribbons in their button-holes. Very few citizens were about at that time ; they did not seem to disguise their intentions, but spoke very freely about it all day. I talked familiarly with them about it ; one of them, to show that he was a citizen, took off his boots to show that he had some Kansas dirt in it ; he said that made him a citizen ; they said they were citizens of Kansas, all of them, when asked the question. When asked where they were from, they said from Missouri, different places. I returned to the polls about ten o'clock ; found it very much crowded, so that it was almost impossible to get to the window. After much difficulty, I deposited my vote. They asked me to pass over the roof of the house ; that I could not get back out of the crowd. I refused to do so, and then they asked me to get down and crawl through their legs and get out. I told them I should do no such thing ; that I walked in, and should walk out. I fought my way out, I might say, and was a long while doing it. I had had equal difficulty to get in. I should suppose there were between seven and eight hundred at this point ; most every one had a gun, and all had revolvers and bowie-knives, and took occasion to expose them, to let us see that they were armed. Some of them left on the afternoon of the election ; and others, the majority, staid till next morning.

Cross-examined by Mr. Oliver :

Mr. Crews told me that one of the reasons of the people coming into this Territory was by endeavoring to justify their course, by referring to emigrant aid societies in the east, which he understood were organized for the purpose of sending persons into Kansas to vote at that election, and, as he understood, to vote at the 30th of March election, and coming up the river for that purpose.

G. W. DEITZLER.

LAWRENCE, K. T., *April 25, 1856.*

CARRIER W. BABCOCK called and sworn.

To Mr. Reeder :

I came here in September, 1854, previous to the proclamation of Governor Reeder for the election of the 30th of March, 1855 ; there was some talk about the Missourians coming here. I took the census of this district, and as I was travelling about I often heard it said that

the Missourians would be here at the election. It was currently reported here, for some weeks before the election, that the Missourians were preparing to come up here, and had organized what they called a Blue Lodge for that purpose. I was intimately acquainted with several pro-slavery men in this immediate vicinity, who were reported to belong to that lodge, and whom I had every reason to believe did belong to it, from conversations with them. The first thing I observed that made me think they were coming was this: I had just opened our post office here in a little log building with a partition in it; the building was owned by a young man named William Lykins, who was deputy postmaster; we occupied but one-half of the building. The rats and mice made considerable noise in the other part of the building, which was unoccupied, and I inquired of Mr. Lykins what they were up to. He took me in there and showed me a lot of provisions, consisting of a large quantity of bacon, some corn, and I think some flour and meal, though I will not be certain about that. I do not know when the provision was brought there, though I was told. This Mr. Lykins was from Missouri, though a resident here at that time; he is now in Kansas City, Missouri.

On the evening of the 29th of March, 1855, a large crowd of men came in and encamped in the ravine just beyond the post office; I should think there were in that first company some five or six hundred; I was boarding then at Mr. Chapman's, just above the creek. That evening, about 10 o'clock, I think, a party left the camp, and started for the California road, and it was reported that they were going to the second district; soon after, another company left. I did not talk with any of them, and only heard it reported where they were going. The first company went in the direction of Douglas district; the last company in the direction of Hickory Point. There were to be elections at both places. I should think there were near two hundred in each party.

On the morning of the day of the election, a little after sunrise, another company commenced coming in. I was standing by Mr. Chapman's house, and saw them in the distance over the hill, and watched them until they passed the house and went into the camp with the others.

I was in the camp on the evening before the election and on the morning of the election, and was introduced to several persons there. I heard them talking among themselves, stating that the Howard county boys were located in such a place, the Clay county boys in another place, the Cass county boys in another place, the Saline boys in another place, and called over a number of other counties that I do not now recollect. I was introduced to a man named Davidson, Mr. Wade's father-in-law, who now lives in this Territory. I also saw a man named Coles, from Kansas City, I think; Allen McGee, of Westport, who introduced me, I think, to Colonel Samuel Young. I will not be positive about that, but I was introduced to him afterwards. My impression is that Mr. McGee introduced me to him on the morning of the election.

Nearly all these men had guns of some description; shot-guns and

muskets. Most of them had revolvers, and a great many had bowie-knives. They had several tents and some flags and music.

When they arrived, the provisions in Mr. Lykins's house were taken out and given to them. On once occasion a young man came up to the house and asked for the provisions. I asked who they belonged to, and he said they belonged to the company, and he wanted some of them. He took off a sack of corn for the horses. I delivered but that one sack; Mr. Lykins delivered the rest. I do not know what became of the rest of the provisions. Mr. Lykins wanted to clear out that part of the house for the election to be held in, and he set out several sides of bacon and some corn, and I saw persons come up promiscuously from the camp and get them.

I heard Col. Samuel Young make a speech on the morning of the election. I heard but a part of it, as he was about closing his remarks when I came up. This was at the polls. He was cautioning the boys to keep good order, as they would all be allowed to vote; they must not be noisy, must not disturb property, and he would see that all had a chance to vote.

I was sitting in the office, with the windows up, as they came up to the polls. There did not seem to be any military organization; they came up in little companies as they had camped. Most of them had guns, some carrying them on their shoulders, some in their hands. They made a great deal of noise and very much of a rush.

I talked with several of them and was introduced to many of them, but do not remember their names. They said that their intention was to vote; that they wanted to do it peaceably; did not propose to prevent others from voting; were willing for us to vote, but they would vote too, as they had just as much right to vote as we had. That was the general tenor of their conversation. They left about four or five o'clock on the day of election.

Before they put in their votes I heard several of them take the oath. I was in the next room and heard Col. Young swear that he was a *bona fide* resident of Kansas Territory. He did not say he was a resident of this district, so far as I recollect, but that he was an actual and *bona fide* resident of Kansas Territory, and owed no allegiance to the State of Missouri. He told the judges that it was unnecessary to swear the rest of the men, as they would all swear the same thing. He was not a resident of this district when I took the census, and was not a resident at the time of the election. I should have known it if he had become a resident. I do not believe he has ever become a resident of this district. I do not recollect that the judges asked him any questions about his residence here when he took the oath.

I was in the other room, and looked through the cracks in the partition when they changed the election board. Mr. Blanton being absent, Mr. Benjamin was put in his place. Mr. Abbott resigned, and Mr. Cummins was elected in his place. This was when the board first met. It is the duty of voters present to fill the vacancies in the election board. The politics of Mr. Benjamin and Mr. Cummins were the same as of those who had camped here. That party was supporting Thomas Johnson and E. Chapman for the Council, and A. B. Wade,

James Whitlock, and, I think, John M. Banks for the House of Representatives.

A few of this party remained in camp until the morning after the election, but the most of them left in the evening before.

In taking the census I followed, as near as I could, the directions laid down in the precept. It was a correct return, to the best of my knowledge, of all the voters in the district at that time.

I did not notice any mottoes on the flags of this party. I do not think they had their tickets printed here, but brought them with them.

Cross-examined by Mr. Oliver :

I was personally acquainted with but few of the men who came here from Missouri. Mr. Allen McGee was the only person I was acquainted with that I conversed with concerning their objects in coming here. He informed me that they had come here to vote ; that there was a large number of persons coming here from northern and eastern States to be at that election, and the Missourians were coming here to counteract that movement. I had a conversation with Mr. Davidson, of Missouri—I think he was from Pleasant Hill, in Cass county. He said he did not approve of their coming up here, and that he would not vote ; did not believe that he had a right to vote here. He stated that he did not want to come up here at all, but his son-in-law was a candidate, and the people were all coming up, and he came along ; but he would not vote, as he did not approve of it. In conversation in camp I heard some of them say that this Territory belonged to the Missourians, and that these eastern men had no business here. That was the drift of their conversation. I heard others say that they were coming here to vote against these eastern men, referring, I suppose, to recent emigration, though they did not say that. I conversed with several, and told them I did not think they had any right to vote here. They said that all these men at Lawrence had been sent out here with their families for the purpose of voting, and they had as much right to vote as those men had.

There were some arrivals in the Territory after the census was taken. There were, I should think, near one hundred here from northern and eastern States, but I do not think all staid in this district ; some of them went above.

To Mr. Reeder :

All the first part of the day, as fast as persons voted, they put them up over the house, because there was so much of a crowd and rush in front of the polls that they could not get back. The building was a very low log building with a flat roof. The post office was open at the windows at the time of the election, though the door was shut. A great many of our citizens came to the window and complained that they could not get near the polls and could not vote.

Some time before noon, as I was in the office, I heard a gun discharged. I came out and saw a crowd rushing towards the bank of the river. I went down with the rest of them, and saw Mr. Bond, a citizen of this place, come up from below the bank. They said they had shot at him, and he had jumped off the bank. They said there

had been some conversation with him, and then some one called him a damned abolitionist, and then the mob pitched on him. I did not see any other difficulty.

C. W. BABCOCK.

LAWRENCE, K. T., April 26, 1856.

LYMAN ALLEN called and sworn.

To Mr. Reeder :

I came into the Territory about a year ago the 24th of March last. I settled here, in Lawrence, and have resided here ever since. I am from the State of New York. I was here on the 30th of March, 1855. In coming up the Missouri river I stopped at the various landing places, and, when we got up as far as Glasgow, we noticed persons who commenced coming aboard. We came up on the "Sam Cloon." They said they were coming here to vote, as a fund had been raised for that purpose. They, with myself, landed at Kansas City, I think between the 16th and 24th of March, 1855. I immediately came through to this place, and on the 27th, 28th, and 29th of March, the emigration was very flush. On the 29th, I think, there were not less than from six to nine hundred came here. Most of them encamped on the Wakarusa over night. I came here the next day. I stopped with my brother, about four miles from here, near the Wakarusa; and in coming here, I saw a large party pouring up the Wakarusa. There was an election to be held in Bloomington that day. Several gentlemen came into town, and seemed to be prominent men in this party. They came from below to see if they would be allowed to vote, without resistance. They said they were coming here to vote in sufficient numbers to accomplish their object, and would vote—peaceably if they could, forcibly if they must. They claimed a right under the organic act to vote here. They said it gave them that right although they were citizens in other States, because, according to that act, citizens and residents were not synonymous; they were residents wherever they happened to be, but citizens where their families were. They considered it unfortunate that such an oversight had crept into the bill, but they would claim the benefit of it. I came in town about 7 o'clock on the morning of the 30th, and immediately went over to the place of election. I remained there until dark, except when away for dinner. I think these men had a *darkey* who drummed for them, and one who carried a flag. They were generally armed, though many had no guns. Colonel Young seemed to be the leading man. He had told me, in conversation with him previously, what I have already stated as to their idea about their right to vote. He said he should vote here, though that disfranchised him in Missouri. The men who came up to vote, refused to take the oath prescribed by the governor. Col. Young said he would offer his vote, but would not take that oath. He would make that the test; and if he was allowed to vote without taking that oath, the rest would probably be allowed to do so; if not, they would vote by force.

I did not hear what oath he did take. When he came out, it was said that he had perjured himself. He declared he would like to find the man who said so, and he would dispatch forty such men. Mr. Abbott, one of the judges, resigned, because those who voted refused to take the oath prescribed by the governor, and the other judges received their votes. Hugh Cameron was one of the other judges, but I cannot say whether the other was Mr. Benjamin or Mr. Cummins. After Mr. Young had voted, about two hundred men left here for Bloomington, as it was said they were not needed here. The leaders in the matter then undertook to expedite the voting, as it was impossible to vote from the crowd; those who had voted being compelled to crawl over the house, which was a low one, to get away. About that time, Charles Stearns was found on the ground with a book in his hands taking notes. He was surrounded by a company of men, who said they would have no notes taken. They became very much exasperated, and threatened to kill him, but Colonel Young got him out of the crowd without his being injured. About 11 o'clock the leaders of this company placed guards along from the window, forming an alley, so as to allow persons to vote according to counties as they came up—according to the counties from which they came in Missouri. The oldest men were given the preference. I saw one young man living in this town walk into the alley and go up towards the window. He was asked what ticket he voted, and he said it was his own business. The crowd gathered around him and threatened him, but his friends got him away. I think he voted at that time. Not long after, Mr. Edward Bond was talking with some gentlemen, when he got into some difficulty. An attack was made upon him, and as he was jumping off the bank of the river I saw a revolver fired at him. I did not know the man's name at the time. He was not a citizen of this district. I have been told his name since, but do not recollect it.

Colonel Young stated that he was a citizen of Missouri, though a resident of Kansas for the time being. I found a great many young men who took the same ground as Colonel Young did; they had every appearance of being educated men. After dinner, about two o'clock, I attempted to vote; there was a very large crowd, all bracing towards the window, and about two hours afterwards I got there. There was a crowd from every direction; but our side was the strongest, and we pushed the others away. It seemed to be a contest with the "Free-Soilers" and Clay county boys. I was with the latter, and they came in ahead. No one asked me my politics. I went in and voted, and was then taken by the boys and lifted upon and went over the house. I saw during the day some of the company that came up on the boat when I did; I saw them vote; I heard them say frequently they were coming here to vote. I have since recognised several persons as citizens of Jackson county, Missouri, whom I saw vote that day.

About four o'clock the ground was somewhat cleared, and the old men began to leave, and they began to decamp. Some of the boys had got considerably intoxicated, and we kept a guard about here during that night. About half of those persons left I think before midnight, and early in the morning; the rest drove off in the direction from

whence they came. There were several persons in the crowd when I tried to vote—not very rugged persons—who became faint and were taken away. It was very laborious getting up to the polls.

To Mr. Sherman :

I think these men had their tickets printed in the "Free-State" office in this place, at that time under the charge of Miller and Elliott. Those nominations were made after they got here; they voted for Mr. Chapman and Mr. Johnson for Council, and Mr. Whitlock and Mr. Banks for House of Representatives. I think there was one McGee, who was with the committee, who came up from the Wakarusa camp, but I am not certain about that; I think Colonel Young was most of that committee.

Cross-examined by Mr. Oliver :

These persons also said, though not generally, that the position they sustained towards the Territory made it necessary that this should be a slave State. Their interest in the question was so much greater than any other, that they had a right to vote here in self-defence. I heard Colonel Young's speech; I do not remember of his saying that they had as much right to vote as others who had come here within two or three weeks previously. He stated that the North and East had formed societies to send emigration here to make this a free State, and they would beat them at their own game. I think I heard them say they approved of the principles of the Kansas-Nebraska bill, and were willing for the *bona fide* settlers in this Territory to settle the question of slavery for themselves. There were two young men I got acquainted with in coming here, and they admitted in conversation that this thing was all wrong; but as the North had commenced it, they would come in under the same plan.

These two were some of those to whom I have referred in my examination in chief as having given reasons for coming here to vote. I was with the persons who were here all day, but not in their camp, as they were not in camp during the day. I do not recollect that I heard any one say that they had as much right to vote as emigrants recently from the north or east, but they claimed a general right to make this a slave State, as the North had sent men here to make this a free State. These reasons, I think, were given by the more moderate of the party, who, I judged, came along as peace-makers; the general tone was different. I do not remember that Col. Young in his speech said that there were a number of persons in this district who were from the north and east, and if they were allowed to vote he would claim that he and his party should be allowed to vote; and if allowed to vote peaceably it would be all right, but they would vote forcibly if necessary. I had just arrived in the Territory, and voted at that election. I do not know how many from the north and east who had just arrived voted at that time.

When I was on my way here, a party from the east passed me at Buffalo, and when I reached here a part of them were going back, and persuading all to go back they could. Some of them went up the "Big Blue" and settled what is now called "Manhattan."

Some of our own party got as far as John Ham's, on "Mill creek," about fourteen miles from Westport, and being obliged to sleep on the floor, they got up the next morning and started back. I believe about that time it was common for some to come here and stay over night, and start back the next day. I do not think I could tell definitely how many voted of that spring's migration, except myself, as they were mostly strangers to me. The most of the party I came out with went back. I had been here but eight or ten days before the election. I brought my wife with me. It was the common practice to take persons by the legs and hoist them up to the roof of the house, as they could not get out any other way. It was not understood to be any indignity or rudeness, and voters on both sides were treated in the same way. When the crowd was thinned out, persons left the polls in the ordinary way. This was the case after about three or four o'clock, but the crowd was dense before that time.

LYMAN ALLEN.

LAWRENCE, K. T., *April 26, 1856.*

SAMUEL N. WOOD called and affirmed.

To Mr. Reeder :

I first came into the Territory in June, 1854, from the State of Ohio. I settled in July, 1854, about five miles from here, in this district, on the California road. I have resided in the district ever since. I was here on the day of election of the 30th of March, 1855 ; it was on Friday. On the Wednesday evening before, I saw some two or three hundred men encamped on the ravine bottom near the ford, who said they were from Missouri, and were going above to some place to vote, and there would be about 1,000 more to vote at this place. The next day, Thursday, they commenced coming in here to Lawrence on horseback, on mules, in wagons and carriages, frequently in long processions ; they camped over most of the town, I think on Wade's claim. I was all over their camp the night before the election. I was introduced to Doctor Lomry ; he said he was from Missouri. I was introduced to Col. Claiborne F. Jackson, who lives at "Arrow Rock," Missouri. I do not recollect whether I first saw Col. Young that night or the next morning. I recollect seeing a Dr. Earl, from Westport, who was postmaster there. When I first came out here, I also saw a man by the name of Cole, from Kansas City. There was quite a procession came on the morning of the election, with flags flying, from towards the "Wakarusa," I think from where Mr. McGee lives ; I saw two McGee's in the party. When the polls were opened, Mr. Blanton, one of the judges of the election, was absent ; there was considerable trouble in choosing a judge in his place.

Colonel Young assumed to manage for the Missourians. It took us at least an hour, I think, to settle on the third judge. Colonel Young claimed that the people here had two of the judges, and therefore it was nothing more than right that the Missourians should have one to attend to their interests. They finally agreed upon Mr. Cummins. Mr. Benjamin was appointed in place of Mr. Abbott, after he

resigned. It was found pretty difficult, when the polls were opened, for any one to get to the window to vote, after the judges had voted. I think Colonel Young was the first who offered to vote. One of the judges asked him if he was a resident of the Territory, and he said he was. He was asked to be sworn, and he was sworn, and again said he was a resident of this Territory. They formed two lines of them near from the window out on the prairie, some three or four rods, standing some six feet apart, and those who voted had to enter in at the outer end of these two lines, walk up to the window, and vote; and for a time they were put up over the house to get out. After some voting they formed another line from the window to let them out. Soon after the voting commenced I heard quite an excitement a little to the left of where I was standing. I supposed at first it was a kind of what we call a side row, got up to get people away from the house, so that others could vote. I saw a man running from the house towards the river, and as many as a hundred running after him. I started after them, and I was perhaps a rod from the man when he jumped off the bank; and I saw it was a Mr. Bond, of this place. There were some two or three pistol-shots fired after him. There was considerable excitement on the bank. Several of them said they must drive all the damned abolitionists off the ground. I remarked that it would be difficult for them to do so, as there were men there who would be willing to have their bodies riddled with bullets before they suffered that to be done. Colonel Young came up to me, and said that he wished no difficulty, and if we would keep our men quiet they would not allow any of us to be injured; that they wanted to vote, and would vote, at all hazards. I heard as many as fifty persons say that, I think. One of the judges objected to Colonel Young's vote being received, and when it was received he resigned. They appointed Mr. Benjamin in his place; Mr. Benjamin was a resident of this district, I think.

These Missourians had almost exclusive control of the polls until late in the afternoon. This Benjamin had a claim near town, but I do not know whether he was living on it or not. I recollect that a man named Willis, who lived in this place at that time, came up about the middle of the afternoon to vote, when about half of these Missourians had left. When he came up they raised a cry that he was a damned abolitionist, a negro thief, &c., and halloed "Kill him!" "Shoot him!" &c. There were several of our men on the ground, and they told them if they wanted to commence that game they could do so, and that they would find the matter would not end here in Kansas Territory; and they quieted down very much. I think Willis voted. These men ran him. A Mr. J. O. Shelby, who I think lives in Berlin, Lafayette county, Missouri, took dinner with me that day. He said there were fifty who came from his neighborhood with him to vote, and they were going to vote. He said that if he had to swear that he lived in this Territory he would not vote, as he did not live here, and never expected to live here, nor did the men who were with him ever expect to live here. I do not know as I can name others who voted. I recollect of seeing E. M. McGee, who lives between Kansas City and Westport. I also saw a number

whom I had seen in Missouri, in Westport, Kansas City, Independence, and other places, whose names I do not know. I think there were two McGees here, but I do not recollect the name of the other one. This Shelby stated that there were ten thousand Missourians in this Territory, and one thousand of them were detailed to this place. When I was in the camp the night before the election I recollect there was a messenger came in to inform them that there were not men enough in Bloomington—a district above this—and they must have two hundred more men there. I heard this Lounry and Jackson talk about it, and they agreed that night to send two hundred men. Quite a number of the party left the next morning, about the time the polls were opened here, and went off above somewhere. The majority of these men, I think, had revolvers in sight. They had bowie-knives, I suppose, though I do not know enough about them to tell whether they were bowie-knives, though they were large knives; and they also had rifles and double-barreled shot-guns. They had drums and flags, though I do not recollect what kind of flags they were. I think I knew perhaps nine-tenths of the settlers in this district at that time. These men who came here were all strangers to the district. After the election they left, and I should think they were all out of the district by noon the next day. They said they came here to vote, and were going to vote. I heard the remark frequently that if the people here made no opposition, and allowed them to vote, there would be no trouble; but if there was any opposition they would drive them all out of the neighborhood, or kill them, as they were going to vote anyhow. I recollect, among others, seeing Mr. Owen here, who lives near Lexington, Missouri. He had formerly been in the Territory, and had a claim over north of the town. He was here at the first election at Basyager's, and had a difficulty with a Dutchman, and shot him. He then left the Territory, and had not been seen here since until the day of the election of the 30th of March, at which he voted. His claim was some twelve or fourteen miles from here to the south, and I think in the district below here. I recollect that about a dozen men who were strangers to me, but who said they were from Missouri, took me one side on the day of election, and made inquiries about one of their candidates. They said they were afraid he was not altogether "sound on the goose question." They used to know him down in Kansas City, but were afraid of him, and wanted to know if he had not expressed some rather Free-soil sentiments up here. Colonel Young, however, vouched for him, and they concluded to vote for him. I tried to find out their candidates when I was in their camp the night before the election. I should think I asked a hundred men about them; but the universal cry was, that they had no tickets, and did not know who were their candidates. They said their leaders would fix that up in the night, and get their tickets, and they would know in the morning.

I was about the polls pretty much all day, with the exception of about one hour at dinner time. These men from the camp voted. I think I saw one man vote four times. They changed their coats or their hats, and came up to the window again and voted. I do not

know about the names they gave. I asked them if they were going to keep on and vote the whole season.

LAWRENCE, K. T., *April 26, 1856.*

[Mr. Oliver objects to the witness stating anything the supposed illegal voters may have said in regard to the election of the 30th March, 1855, and insists that they, the alleged illegal voters, would, if present, be competent witnesses, and that they should be subpoenaed to appear before the committee to testify of their knowledge touching the said election, and their connexion with the same. That the mode of examination now pursued is in violation of the well-established rules of evidence, as recognised by the standard authors.]

EDWARD CHAPMAN sworn.

To Mr. Reader :

I came into the Territory on the 28th day of December, 1854, and settled in this district, and have resided here ever since. I was here on the 30th of March, 1855. I saw a large body of men come in on the day of the election, and encamped in the ravine below my house. I suppose there were six or seven hundred of them before they sent off the detachments, as near as I could judge. They were strangers, not residents of the district at the time ; that is, a majority of them were not. They participated in the election at the time. Most of them left the day of the election—from 3 to 5 o'clock in the afternoon. A small party were here I believe the next morning, and left that day, the 31st of March. I was in their camp. There was no gentleman there with whom I was acquainted but Claiborne Jackson ; I was introduced to several. There was one gentleman to whom I was introduced before, by the name of Harlow, and I was introduced to him again on that day. I did not see any of the McGees there whilst encamped. I saw Mr. McGee while they were assembled around the election house—Allen McGee. I saw Mr. Coles, of Kansas City, at the polls that day ; they both live in Missouri—Coles in Kansas City, and I suppose McGee too—but McGee said he had a claim on the Wakarusa.

Some time in the early part of the day, on the 30th, one detachment was sent off to Hickory Point, in the neighborhood of one hundred and fifty or two hundred, or more may be. Another detachment followed, and that shortly—they were destined for the second district, Bloomington—I should conclude from one hundred and fifty to two hundred of them. They told me they came here to vote. They claimed that they had a right to come here and vote ; all they asked was to vote here peaceably, and if they could not do it peaceably they must resort to some other means. Most of them had double-barreled shot-guns, and guns of various descriptions, and most of them had side-arms. I saw a couple of pieces of artillery. Mr. Miller and myself went over to Mr. Wade's ; after Miller had finished his business we came through a part of the camp ; they were distributed in various

parties. We crossed the ravine, and came very near the house of the election. Some gentleman hallooed to me; I went back, and we got into conversation about the matter. He asked me if I thought there was any prospect of difficulty here? I told him I thought not. He said he was in hopes there would not be. I told him if there were citizens enough in the place to give them a fair fight they would do it. He thought there would be no use in doing that, and invited me to go down a short distance with him. We went to a wagon, and he lifted up a cloth and some blankets, and remarked to me that there was a couple of "bull-dogs" they had, loaded with musket-balls. They were all covered up in the hay, with the exception of the rims of them; they were a couple of brass cannon. I then left there, and went up to the house where the election was held. I suppose I was voted for by them for member of council on that day.

Cross-examined by Mr. Oliver:

Those leading gentlemen, Mr. Jackson and others, said they came here to vote to counteract the votes given by those men who were sent here under the auspices of the Emigrant Aid Society; who had come that spring, and were still coming to vote at that election—the 30th of March. I heard Mr. Allen McGee say, that he would never have brought his company here, but for his understanding that there were a number of persons from the northern and eastern States *en route* on the Missouri, to reach here and vote at the 30th of March election. I heard that remark made by Mr. Thompson, of Clay county, and others, and by most of those whom I heard speak of it at all. They thought the whole thing wrong and irregular on both sides, and were only acting in self-defence. They meant that the North and East had sent persons here for the purpose of making this a free State. They claimed that they had as good a right to come here and vote as men from the east or northern States. They further stated that, if it was not for this eastern and northern emigration, they would not have come here to vote. They claimed that the North and the East had formed what they called Emigrant Aid Societies, whose purpose was to send men here to vote. Mr. Allen McGee told me that he had reliable information that there were between four and five hundred on a boat between St. Louis and Kansas City, of eastern and northern men, to be at this place and other points in the Territory at that election. Some of the same gentlemen said that they were willing and would abide by the principles laid down in the Kansas-Nebraska bill, and were willing that the actual settlers of the Territory should determine the question of slavery. They claimed that they had reason to believe that there were a number of persons from the north and east who were not actual settlers, who proposed to vote at that election. None of these men that I conversed with at that time claimed to be actual settlers, except Allen McGee. I have been told by several of them that they would not have interfered with the election at all, were it not that these men coming from the north and east were not actual settlers. None of these leading men, whose declarations I have given in my examination in chief, made any threats that they would use violence on any of the citizens of Lawrence.

To Mr. Reeder:

The first declaration stated by me in the cross-examination was made on the day of the election and the day before. Men that they said were coming were said to be on the river on boats. I am acquainted with the distances and modes of travel between this point and Kansas City, on the 31st of March, 1855. It is as many as 45 or 50 miles. We had no public conveyances at that time. It generally took emigrants from a day and a half to two days with loaded teams. They could come with light vehicles in a day.

E. CHAPMAN.

APRIL 26, 1856.

GEORGE CHURCHILL affirms.

To Mr. Reeder:

I came into the Territory on the 1st day of October, 1854; settled at Lawrence, and have resided here ever since, except three months, during which time I lived in Independence, Mo. I formerly resided in New York; knew none of the men by name that were here on the 30th of March, from Missouri, but recognized the countenances of several. I was present here on the 30th of March. I recollect of seeing a young man here that day that brought me into the Territory; he lived in Westport; and also several that lived in Independence, Missouri.

GEORGE CHURCHILL.

APRIL 26, 1856.

R. A. CUMMINS called and sworn.

Examined by Mr. Reeder:

I came into the Territory, camping at Blue Jacket's, in August, 1854. I settled three miles southwest of here, in this district, and have resided here ever since I came from St. Louis here. I am a Virginian by birth. I lived in Missouri before I came here. I was here on the 30th of March, 1855. I was not appointed one of the judges of that election by the governor, but was selected by the crowd in place of N. B. Blanton. I was selected the day before the election as a suitable man for judge. I had no objection to serving my country in any way. I was spoken to by Allen McGee, of Westport, now to act as judge. He pretended to live here at that time. I suppose he did. I entered on the duties of my office and discharged them conscientiously, to the best of my abilities. Most all who were here were strangers to me, as I was living in the country at that time, and knew but few persons. I should think there were over one thousand votes polled that day. Some from my neighborhood did not vote then. I was not in the camp of persons here. I knew that there were camps, but

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was not in them, as I was on duty from early in the morning till 12 o'clock at night. A man by the name of Colonel Young came up to vote. I had no personal acquaintance with him. He was sworn, and made oath that he was a citizen of the Territory, and would not vote anywhere else but here for twelve months. He did not say in what part of the Territory he resided. My opinion is, that it was no business of the judge to inquire; that he had a right to vote if he had been here but an hour. I do not recollect many of the particulars. I saw one man vote who said he lived at Lexington. His name was Holliday, but I do not know his given name. He said he lived in Lexington, Missouri, or somewhere in that vicinity. Allen McGee, when he asked me to act as one of the judges, said something to me. I do not know as I can swear positively to what he said, as it was a general conversation. I don't think he told me anything about persons coming here from Missouri. He had a house two miles west of where I lived. He was there, and had a black woman cooking for him. There were others there—some fifteen or twenty others—who were strangers to me. Mr. McGee kept a kind of family grocery store there, with plenty of provisions to sell, at enormous rates. He kept a kind of hotel there for a few days. He had a large stock at the time of election, but I do not know as it was larger than usual. He kept groceries there for several months. He had a young man for clerk. I have no doubt that Allen McGee was just as good a voter at that time as I was, as he lived there. The only difference was, that I had no other home and he had. I do not know where his other home is.

Cross-examined by Col. Woodson :

I know that McGee had been here at the time of the election, and built a double log house—a one story house—and had a black woman here, and was very anxious to bring his wife with him, but she was in delicate health and could not come. He often spoke to me about that. He has since sold out. He had built this house prior to the election of the 30th of March, 1855. He had himself only been here a week or two at that time, but frequently before that: He had been here the fall before, at the election of a delegate to Congress. I often heard of his being here. I was not acquainted with him the fall before. The house he built was about as good a house as there was in the Territory at that time. He had made a claim here before I came here, in May some time, I think, but did not build here until after I did. He had a log cabin on his claim in the fall, where he usually stopped when he was up here.

Re-examined by Mr. Sherman :

He sold out his claim a few weeks ago.

Re-examined by Mr. Reeder :

Mr. McGee came there with his cook a few days before the election, I cannot state positively when. I do not know when these strangers came there. I think McGee himself went home in a day or two after the election. I do not think the others were there at all after the election. He had a clerk in his house to attend to his store before he came up prior to that election, but there was no family there.

The same clerk lived there for some time after McGee returned, after the election. The clerk cooked his meals there for himself. The store was occupied along in November or December, 1854, but I could not state exactly when it was. The clerk occasionally had a hired man living there with him. No one else lived there that I know of.

ROBERT A. CUMMINS.

LAWRENCE, K. T., *April* 28, 1856.

ROBERT ELLIOTT called and sworn.

Examined by Mr. Reeder:

I was residing in Lawrence on the 30th of March, 1855, and was one of the proprietors of a printing office at that time. I saw a large number of men who said they were from Missouri, who visited the office. They said they were coming here to vote. I was not in their camp, but saw it at a distance. I saw large numbers of them arrive; they came in wagons and on horses. Most of them, I think, had arms; some of them had large clubs. I did not see any banners or flags. I heard music at a distance, but did not see them when parading. When they came to the printing office the night previous, they said they merely came to see an abolitionist, as they had never met one, and had understood that the "Free State" printing office was conducted by abolitionists. Mr. Whitlock, one of the candidates for the legislature, came to the office on the day of election, just before-noon, and spoke about tickets. He was the only one that I remember of coming to the office. I think that Mr. Wade spoke to my partner and myself about tickets. He was also one of the candidates. I think Mr. Chapman spoke to me about it. He was a candidate for council, and was of this place. I do not know that any persons from the party in camp spoke to me about those tickets. They stated they had got their tickets printed before they came here, but had a larger vote than they had expected, and wanted more tickets. Mr. Whitlock, Mr. Wade, and Mr. Chapman were running on the same ticket. We printed three hundred of those tickets. Mr. Whitlock paid for them, and, I think, took them away.

Cross-examined by Mr. Woodson:

This Chapinan, Wade, and Whitlock, lived in this vicinity; had families with them; but I do not know about Mr. Whitlock.

To Mr. Reeder:

I learned the names of three or four of those strangers here. A man named Colonel Walton, I think, a proprietor of a "hotel" at Lexington, Missouri, was introduced to me, and called at the office, I think, once; also a Mr. Graves, and a gentleman named Shroder, who introduced himself as from Liberty, Missouri; another gentleman named Sullivan was here that day; I was acquainted with him the fall previous; came up the river with him as far as Lexington. He stated that he had made some seven claims on "Salt creek," near

Leavenworth; he resided near Lexington, Missouri, when I got acquainted with him, the fall before the election; he said on the boat that he had taken seven claims on "Salt creek," in the vicinity of Leavenworth, but not with the intention of settling in the Territory, merely for the right of his friends, and to keep abolitionists off; he stated that he resided in the vicinity of Lexington, Missouri. It was about the 20th of November, 1854, that this took place.

To Colonel Woodson:

In this conversation with Sullivan nothing was said about any expedition here. It was an independent conversation on the subject of claims.

R. G. ELLIOTT.

LAWRENCE, K. T., *April* 28, 1856.

N. B. BLANTON called and sworn.

Examined by Mr. Reeder:

I came into the Territory the last of September, 1854. I settled on the Wakarusa about five miles south of here, and have lived there ever since; I came from Jackson county, Missouri; I was appointed one of the judges of the election of March 30, 1855; I was down in Missouri about two or three weeks before the election; I was sick there, and started up home just before the election; the first day after I left there I stayed at Donaldson's, and the next day, the 29th of March, I met a party of men coming up here: I did not know any of them; they told me they were coming up to Lawrence to vote; some two or three I talked with told me where they came from; some said they came from Boonville, and one gentleman told me he was from Columbia, Boon county.

After I had travelled on about ten miles, and they had found out that I was one of the judges of the election, they wanted to know if I would let them vote without swearing. I came about fifteen miles with them; I do not know how many there were in the company, but I should suppose there were about one hundred; a good many asked me—first one, and then another—if I would let them vote without swearing. I never saw any of them before that day, but saw some of them up here afterwards at the election of the 30th March. I told them I could not according to the oath I would have to take as judge of the election, as they were not citizens of the Territory. They argued that all the citizens of the United States had a right to come here and vote if they wanted to; they got to trying to persuade me to let them vote without swearing, saying the oath the governor had prescribed was not right and legal. After a while one of these men—an old man—said to me: "Go on, son, and act as judge, and let us vote, and we will pay you for it." Two or three more spoke up and said, if I did not let them vote without swearing that their men would get enraged, and maybe hang me; and that I had better resign. I did not then resign, but left them, and resigned on the

morning of the election. I was here in town, close to the polls, though I did not go to them. I did not go into their camp here; one of their camps was on the Wakarusa, close to where I was building a bridge, about five miles from here. They came there the morning before the election; they came over here to Lawrence the day of the election; they started before I did, but I saw some of them here; there were about fifteen or twenty in that camp. I have looked over a part of the poll-list; I saw several there I knew were citizens of Missouri—Mr. Hanly and Mr. Dexter—I cannot give their first names; a good many of them I cannot recollect, though I knew them.

Cross-examined by Mr. Woodson:

I did not know the men with whom I had the conversation; I did not know that they were speaking for the company, except when they said their men would get enraged, and maybe hang me, if I would not let them vote without swearing. They said their object in coming here to vote was, in the first place, to get a legislature to suit them, and then make Kansas a slave State. I think the emigrant aid societies were mentioned several times, but I do not know as they gave that as their reason, only that every citizen of the United States had a right to vote, that the emigrant aid societies were sending men to vote, and they had as good a right to vote as these men had.

I did not see as only one was hindered from voting here, but I saw them run one man off over the banks of the river. I saw the man running, but did not know when the difficulty commenced; I did not know the man's name then, but have understood since that it was Mr. Bond.

N. B. BLANTON.

LAWRENCE, K. T., *April 30, 1856.*

C. S. PRATT called and sworn.

Examined by Mr. Reeder:

I was one of the clerks of election in Lawrence, in March, 1855. Mr. Abbott and Mr. Cameron, two of the judges, were present after opening the polls. Mr. Blanton was absent. There were about ten or twelve persons inside of the polls, strangers to me; they nominated Mr. Cummins to serve, and he did serve. There was no conversation in reference to the oath. Some said it was not necessary to swear to the prescribed form, but to perform the duties of the office to the best of their abilities. Mr. Cummins, to the best of my recollection, swore to perform the duties of the office to the best of his abilities; I do not know how the rest swore. They then began to receive votes. After they had opened the polls, a man, named Page, came forward to vote. The judges asked him some questions, and two of the judges were for allowing him to vote; Mr. Abbott objected.

Before it was decided, Colonel Young told the men to step back and allow him to come forward. He handed in his ballot, and the judges commenced questioning him as they had the other man. Mr. Abbott told him he could not consent to take his vote from information he had

got from himself. Colonel Young stated that he himself was competent to decide whether he was qualified or not. Mr. Abbott said he considered it the duty of the judges to decide that. The other two judges decided to take his vote, whereupon Mr. Abbott resigned. After he resigned a man was sent in from the outside—Mr. Benjamin—whom the judges consented to receive as a judge. I do not recollect about his being sworn. After that they commenced taking votes, without questioning more than one man in eight or ten. They would ask them they did question if they were residents of the Territory and would swear to it, and they did so. I do not think more than one eighth or one tenth of the men were sworn. I do not recollect whether Colonel Young was sworn or not. I was inside of the house, and heard Colonel Young say that he had been forward and voted, and all could vote without difficulty.

Cross-examined by Mr. Woodson :

I do not recollect whether Colonel Young was sworn or not.

CALEB S. PRATT.

LAWRENCE, K. T., *April 30, 1856.*

THOMAS HOPKINS called and sworn.

Examined by Mr. Reeder :

I came into this Territory in June, 1854, from Carroll county, Missouri ; I came to Missouri from Kentucky ; I settled in this Territory some nine miles south of this, in this county ; I made my claim the first of June, moved my family on it the tenth of August, 1854. I have resided there ever since. I was at this place at the election of the 30th of March, 1855. I was a stranger in this place, but when I got here that day I met a good many of my acquaintances from Carroll county. I found them about the polls and in their camps. Colonel William Austin, William Austin, again, cousin of the other, Robert Dundee, John Snoddy, from Carroll county. They stated that two others I was well acquainted with, Clarke Lindsey and James Wagner, had gone up to Douglas. There was a Mr. Roy here, I heard—I do not recollect his first name. They told me there was about twenty-five of my old neighbors and acquaintances there. Carroll county, I should suppose, was from one hundred and twenty-five to one hundred and thirty miles from here. It is twenty miles below Lexington, on the other side of the Missouri river.

They told me they had come here to vote, and intended to vote. They stated that they were afraid if this became a free State they would lose their property ; and, moreover, that, if it was necessary, they would come back again at the next election. They told me there were supposed to be between seven hundred and one thousand from Missouri at this place. They also told me there would be, from the best information they could get, between five thousand and ten thousand voters from Missouri, in this Territory, at that election. I do not know as I recollect particularly anything further that they said.

Cross-examined by Colonel Woodson :

It was said in this company that the Emigrant Aid Society were sending on men here to vote; that I heard before I left Missouri. They said, also, that they had come in to aid the pro-slavery settlers here, and to elect members of their own party. I think they did not tell me that the first inducement to come here and vote was to counteract this emigrant aid movement. I had heard it spoken of, but do not know as that was their first inducement.

I am not able to say about that; I did not hear it spoken of here upon the day of the election, though I had heard it spoken of in Missouri. They were voting when I got here; there was one little skirmish, but I do not know the cause; I do not think any free State man had a chance to vote while I was on the ground, owing to the crowd of others at the poll. I reached home before night, some nine miles from here; I reached there a half an hour or an hour by sun. I suppose it was later than two o'clock when I left—I do not recollect what time I went to the polls. As well as I can recollect, it was about one o'clock; they had commenced voting when I got here in the morning, and had been voting ever since. I saw no violence offered at the polls. I suppose there were some free State men voted that day, but not any while I was here, that I knew. I voted that day here.

THOMAS HOPKINS.

LAWRENCE, K. T., *April 30, 1856.*

JORDAN DAVIDSON called and sworn.

Examined by Mr. Reeder :

I moved into the Territory in September, 1855, and settled about a mile and a half from here in this district. I came from Cass county, Missouri. I moved from Jefferson county, Missouri, into Cass county, about the first of November, 1854. I moved from Franklin county into Jefferson county in 1842. I moved from Kentucky to Franklin county in the spring of 1836.

I came here with my neighbors to the election of the 30th of March, 1855, and voted here in this district. I should suppose there were nine hundred or one thousand, though I did not count them, in that company. I saw very few here from Cass county. I saw some said to be from Jackson and Lafayette; some from Jefferson, Howard, and Saline counties. I saw some said to be from several counties, but I do not recollect about others. I saw no arrangement by counties, but, while they were in camp, they seemed to be intermixed.

The arrangement was to meet at Cold-water Grove, near the south part of Cass county. But not all met there—not a general meeting. A great many met there and left; but I was not at a general meeting until I got to camp. The most general meeting was at the encampment at Bull creek, as there seemed to be an understanding about the meeting at Cold-water Grove.

The company that were here in this precinct returned home, some on the evening of the election, and some the next morning. Colonel

Young appeared to be the principal leader. I do not remember what county he lived in, and was not acquainted with him until I saw him here. I was told he was a Missourian.

The companies generally had arms for that occasion. I had none myself. I think each individual bought and borrowed his own arms. So far as I am acquainted with the arrangements in my own county, Cass county, some who did not come put in provisions, some wagons; and each one put in what he wanted for himself, provisions, wagon, &c. I put in provisions in a wagon for myself, and fodder for my horse. I missed my wagon and provisions at Bull creek, and from there I got provisions of other companies till I got here, when I lived off provisions belonging to my son-in-law, A. B. Wade, who was a candidate at that election for the house of representatives. He was voted for by our party. The first I knew of his nomination was from a letter he wrote me at Pleasant Hill, Cass county, saying he was nominated. There was no confirmation of that nomination in Missouri, to my knowledge. From there we all put out to support the pro-slavery ticket. I do not know of money being raised. Men that had not means to come could come with the provision wagons, and were fed there. I became acquainted with Claiborne F. Jackson at the Wakarusa. He was of the company here, and I thought he was in the position of a lieutenant. The party from Bull creek went I do not know where, after I left them, the evening before the election. I left them and came here by myself. At Bull creek I did not see them altogether at one place, but I should think there might have been between seven hundred and one thousand there in one encampment. Those at Bull creek did not come here.

There was another encampment there I did not go to see. I understood there were many in that other encampment, but I do not know how many there were in it. The encampment was not in sight, but I understood there was another there. I do not recollect of seeing any here that I left at Bull creek; but I think, probably, there were some of them here. I started on horseback from Cass county, and expected to overtake the provision wagon, but did not do so. I overtook a company at Wea, but that one had merely stopped there for dinner; they formed a portion of one of the companies at Bull creek. Bull creek is somewhere from 40 to 45 miles southeast from here, and is a branch of the Osage river. I do not know what district the encampment was in, but it was south of the Independence and Santa Fé road; I should think, from a rough estimation, 25 miles. It was near Baptiste Paola, in this Territory. I did not see Colonel Young at Bull creek, but saw him first here, on this ground. I first saw Claiborne Jackson on the Wakarusa, eight or nine miles from this place, the day before the election; I took dinner with him that day, on my way up from Bull creek. There was a large encampment there, the third one I had seen. I do not know how many there were there, as a large portion had come on to Lawrence when I got there, and I think the balance came on that evening. I came on here after dinner. There were some expresses came here the evening before the election, that there were so many wanting at Douglas and Tecumseh, and perhaps at One Hundred and Ten. There were three detachments of volun-

teers sent off; some started, I think, to go up on the river here some twenty miles. There was one place where it was pretty hard to get volunteers to go on the morning of the 30th, as they were tired of riding. Colonel Young made a speech, and urged that, as an old man had volunteered to lead them, they ought to volunteer to go. I do not recollect where that detachment was to go; there were some, I think, sent to Tecumseh and Douglas, and probably some elsewhere. I understood that, of this encampment, some were from Jackson, Lafayette, Clay, and Carrol counties; and I saw a small company from a small county way down in the State, where I have an uncle living. I had a conversation with one, who lived close to my uncle. The county my uncle lived in was Howard county, I think. I saw some from Ray county, I think. I knew some men who were in the encampment at Bull creek. There were a great many men who left Cass county, but I do not know where they went; I saw but few in the encampment at Bull creek who were from Cass county.

I heard of some cannon being along in the Lafayette company, but I did not see them. I may have heard after I came into the Territory that there was a cannon along, but I do not recollect by whom I heard it; I heard of the cannon at Pleasant Hill. I rode with a gentleman from the head of Bull creek, where I stopped on the Wednesday night before the election, who told me that there was a cannon along.

Cross-examined by Colonel Woodson:

We understood in Missouri that Governor Reeder had sent to the east and mustered up a large force to come here, and we came here to vote, too, though that was not all the inducement. We intended to vote first here, and after we had got through we were willing to let anybody vote who wanted to. I do not know of any persons coming here to vote the free State ticket and then returning to the east. I saw some men as I was going down home, who said they were returning to the east. They hired my son and my son-in-law to carry them on. I do not recollect that I saw them here at Lawrence. I heard some conversation in that company about the election, and some two or three said they had not voted. I did not hear the rest say anything about it. There were free State men voted, but I do not think any were hindered from voting except, perhaps, Mr. Bond, who got into a fuss and went off and did not come back again. He was run off the ground, but I do not think it was to prevent him from voting. He got into a personal difficulty, I understood, and they run him off to the river. Just as he jumped down the bank a pistol was fired at him, the contents going perhaps six feet over his head, though I do not think it was aimed at him. The cry was "kill him," "kill him." I do not know of any free State voters being brought here by the Emigrant Aid Society.

By Governor Reeder:

We did not understand that Governor Reeder had brought on voters from the east, but that he made the day of election known there before it was known here, in order to induce voters to come on here. The other inducement we had for coming here was to extend slavery into Kansas Territory. The general talk among our people who came

here was that they had a right to vote here. I contended myself that I had a right to vote here.

JORDAN DAVIDSON.

LAWRENCE, K. T., *April 29, 1856.*

WILLIAM LYON called and sworn.

Examined by Mr. Reeder:

I resided in this district on the 20th of March, 1855, and saw the body of strangers encamped here participate in the election, and had some conversation with some persons as I passed through the edge of their camp on the day of election, and also with Mr. Shelby, here in town. He told me he came something like one hundred miles to vote, and I understood that he lived near the Missouri river. I asked him how many of his party, citizens of Missouri, would vote here that day, and he said about seven or eight hundred. In answer to my remark that I supposed they would not lose a vote in Missouri in consequence of their voting here, he said they would, as they would not vote in Missouri for one year. That was their place of voting here, I understood.

Cross-examined by Colonel Woodson:

Mr. Shelby said that he would not care whether there was slavery in Kansas or not, if they could have security for their property, but they were sure they could not. The conversation that I had in coming through the edge of their camp had nothing to do with the election, I thought it was not safe to say anything about it. I saw persons there armed with shot guns, pistols, and clubs, but no one harmed me. Mr. Shelby named the place he was from, but I do not recollect it now.

To Mr. Reeder:

He gave his name and address to the editors of the Kansas Tribune, to which he subscribed.

WILLIAM LYON.

LAWRENCE, K. T., *April 29, 1856.*

J. B. ABBOTT called and sworn.

Examined by Mr. Reeder:

I was one of the judges of election in this city on the 30th of March, 1855. We got together at the time appointed, and Mr. Blanton had resigned. After about another hour we chose another judge and opened the polls. The first man who offered his vote was, I think, a man named Page, and took the oath that he was a resident of the Territory. I inquired of him if he had a home in any other place. He said he had; that he lived in Missouri. I inquired if he intended to make this Territory his home. He said he did not; that he expected to go back after the election. I told him I could not consent

to his voting, and referred him to the rest of the board. Mr. Cameron, one of the other judges, had also stated that if he intended to go back to the State of Missouri after he had voted, he could not permit him to vote. He asked him one question further; if he was a *bona fide* settler of the territory. He said he was, and Mr. Cameron then said if that was the case he did not think he could prevent his voting.

Before we had got through with him, Colonel Young came forward and requested Mr. Page to withdraw his vote and allow him to vote. Colonel Young said, the manner in which he should present his vote would be the manner in which all his people should present their votes, and that if he was permitted to vote all* the rest could vote. He was then put upon his oath. I questioned him as to his residence. He stated he was a *bona fide* resident of the Territory. I inquired if he had any home in any other State. He said it was none of my business or anybody's else. He said that if men swore they were residents it was my business to receive their votes as legal voters of the Territory. I told him it was the business of the board, as I understood it, to inquire and satisfy themselves as to that, and not let voters decide as to their own cases. He refused to answer any other question in any other form, except that he was a *bona fide* resident of the Territory; but finally, in arguing the case, he said that in voting here men would disfranchise themselves in his State for one year. He said he could not and should not attempt to vote in Missouri for one year after he had voted here. In asking him some other questions he said he considered them impertinent, and that he was incompetent of perjuring himself; and stated that if any one insinuated that he had perjured himself, or was competent to perjure himself, he would tear their heads from their shoulders. I told the colonel his threats would probably make no difference in the minds of the judges, but they would try to satisfy themselves as to the right of the voters. The question was then taken upon his right to vote, and two of the judges decided he had a right to vote, and his vote was received. I told the board if they were going to permit men to vote upon such evidence as that, I would have nothing more to do with them, and I resigned.

I came over the evening previous to the election, and had a consultation with Mr. Cameron. There was a number of gentlemen at the "Free State" office, at that time, from the camp; and one of them came to us and advised us to resign, as our position was a dangerous one; and that if we knew the crowd that had come up as well as they did, he did not think that they could be induced to sit as judges. At that time both of us agreed we would go to the polls, let the consequences be what they might. During the conversation with Colonel Young, he told me he lived in Missouri, and also the county he lived in, but I do not remember that.

I have resided in this district since the first settlement of it, and I have never seen Colonel Young here since that time. From my knowledge of this district, I think he has never resided here. During the consultation in the morning about Colonel Young's vote, Mr. Cummins agreed that all persons who were here at that time were residents, and consequently legal voters.

JAMES B. ABBOTT.

LAWRENCE, K. T., May 2, 1856.

IRA W. ACKLEY called and sworn.

Examined by Mr. Reeder :

I came into the Territory on the 16th of September, 1854, from Cataraugus county, New York, and settled in this district, and have resided here ever since. I was here on the 30th of March, 1855. I saw a party of strangers come in here, which I heard estimated from six hundred to eight hundred or one thousand, and I should think there were about that number. I think the most of them encamped in a body: I saw their camp. They attended the election that day and voted. They were armed; the most that I noticed had rifles and shot guns, and a great many had revolvers and bowie knives; some of them had clubs. There was music—a drum and fife—and they had flags. They marched once, I think, with music to the polls, and fired their guns. I tried to get to the polls a great many times during the forenoon, but could not succeed; and many who voted had to go over the top of the house, as there was such a crowd they could not get back. In the afternoon they formed in a column two by two, and went up by the window. They stated their object in voting here was to carry the election, and have slavery here. A good many of them said that they would have slavery here, or dissolve the Union, or die. After the election they left. I saw in the afternoon, after the line was formed, some of them would vote and pass back to the end of the line, and pass up and vote again. I noticed three do that, and thought there were many more.

Cross examined by Mr. Oliver :

I do not remember the names of any of those who made the declaration I have mentioned. One told me he lived near Jefferson city; I bought some Osage orange seed of him. I heard some declare there were numbers here from the north and east who had no more right to vote than they had. I do not remember of hearing them say that there were societies in the north to make this a free State, and they would beat them at their own game. I heard them say that they understood a number from the northern and eastern States, who had recently arrived, were going to vote, and they had the same right as the others.

IRA W. ACKLEY.

LAWRENCE, April 26, 1856.

Points of objection by Mr. Oliver, touching the mode of examining witness, &c., filed April 28, 1856.

As a member of the "Kansas Investigating Committee," the undersigned makes the following points of objection to the mode of examining witness, as now pursued by the committee; and, to the end of rendering his points manifest, he, in the first place, begs to advert briefly to the resolutions defining the powers and jurisdiction of said committee.

The first resolution provides, among other things, that said committee "shall proceed to inquire into and collect evidence in regard to the troubles in Kansas generally, and particularly in regard to any *fraud or force attempted or practised* in reference to any of the elections which have taken place in said Territory, either under the law organizing said Territory, or under any pretended law which may be alleged to have taken effect therein since."

Under this clause of the resolution, the undersigned maintains that the only points, in regard to which the committee are authorized to take evidence at all, are, as to whether there were any fraudulent or illegal votes given at any election, or any other acts done in fraud of the ballot box; as, for example, force employed or used, or attempted to be employed or used, in reference to any election in said Territory, and which was intended to constrain, restrain, or intimidate voters; and also in regard to the troubles in Kansas generally. Then as to the affirmation that illegal or fraudulent votes were given, the undersigned maintains that the names of the persons alleged to have cast illegal votes should be given, and that all such, being competent witnesses, should be subpoenaed to appear before the committee to give evidence touching their alleged illegal voting; and the undersigned objects to, and enters his solemn protest against, allowing witnesses to state what they heard certain persons say on the day of or before the election, or any of them, as to their having voted and not being residents of the Territory; especially, when the witness is unable to give the names of the persons of whose declarations he testifies. He insists that this species of evidence (hearsay) is never allowable in courts of law or equity; and that to allow such evidence in regard to the subjects of the committee's investigation would be, and is, unjust to the parties whose rights or interests are to be affected by it; and that such evidence would be, and is, violative of the well established rules of evidence, as recognized by all standard works on evidence, and especially Greenleaf, on that branch of jurisprudence, whose works on evidence the committee have, by agreement, adopted as *the* standard authority in their investigations; and the undersigned insists on the application of the rules as laid down by that eminent author.

As to the affirmation that force was "attempted, or practised in reference to any elections" in the Territory of Kansas since its organization, the undersigned maintains that these allegations should be proven as any other facts; and the only proofs that can legally be admitted are to the effect that actual force was employed, or attempted to be employed, to force and control the voters at any of said elections; and that the mere presence of persons, in great or small numbers, armed, at or about the polls would not be sufficient, unless such persons actually employed their power directly to control the ballot box, or that they directly attempted to do so. Relying upon the foregoing points, the undersigned maintains that the evidence should be limited to the propositions of force employed or attempted to control said election, by violently and forcibly interfering with voters in reference to the election and their right to vote.

The undersigned desires this paper to be filed.

M. OLIVER.

JOHN C. DAVIDSON recalled.

Examined by Mr. Reeder:

I was here at the election of March 30, 1855. I moved into the Territory in July, 1854, from Carroll county, Missouri. I had moved to Missouri from Virginia in 1839. I saw a large body of strangers encamped here on the day of election in March, 1855. I was at one camp composed of men I knew in Carroll county when I lived there. I had conversation with two of them upon the subject of their being here. I do not recollect that they told me how many were here from Carroll county, or from Missouri. They told me they came here to vote; that they considered they had a right to vote here; that according to the way the Kansas-Nebraska bill was drawn up they had a right to vote here while they were residing here, and they were residing here while they were here. They said they came here to vote and intended to vote, and would not be driven from the polls; that each man of them was prepared to go eight rounds without loading and the ninth round with the butcher knife. They said they had come into the Territory some two or three days before the election and intended to go back as soon as the election was over; they said they did not intend to settle here. The men I talked with said they came from Carroll county. I saw men here from Lexington that I was acquainted with, but had but little conversation with them. I do not recollect of seeing any men from other places I was acquainted with.

By Mr. Woodson:

The men I was talking with said that eastern men were coming up the river with pasted on the front of their hats, in large letters, that they intended to make Kansas a free State, and that they considered they had as good a right to come here and vote as the eastern men. I did not hear any other reason given.

JOHN C. DAVIDSON.

LAWRENCE, K. T., May 3, 1856.

Dr. JOHN DOY called and sworn.

Examined by Mr. Reeder:

About two weeks previous to the 30th of March, 1855, I renewed an acquaintance with a person who went by the name of Red Robinson, from Missouri. I asked him his business. He took me into where the post office was then held, in Lykin's log house, on the other side of the ravine, and I saw a great quantity of provisions, bacon, flour, meal, corn, and oats, &c. He said that we were going to have a number of boys shortly to help us to vote and this was to provision them. In looking around I saw that the provisions seemed all arranged, the bacon in a pile; the flour in a pile; the corn meal in a pile, and the oats in bags in a pile, and the corn in bags in a pile. Before he had told me what the provisions were for I had bought some corn and meal from him. At the time of the election I saw Robinson and

William Lykins deal out the provisions to the companies here encamped in the ravine.

I saw among the different companies little flags with inscriptions on them, such as "Clay county boys," &c. I was with Mr. Bond and Mr. Stearns when Mr. Bond was driven off the ground and shot at. Mr. Milt. McGee, a Missourian, came up and pointed at Mr. Bond, and said there was a Lawrence bully. Some four or five persons made at him then, as I was standing close to him, and he ran round the end of the building down towards the river. I heard a shot, then Mr. Jackson Bush shoved aside a rifle that was levelled at Bond.

The same party came back, with an addition, with Colonel Young with them, to where Mr. Stearns and myself were still standing. Stearns was pointed out as an abolitionist, and Colonel Young took him up in his arms and asked them if they intended to injure such a little man as that, as he weighed but 125 pounds, balancing him in his arms at the same time. After some preliminaries, Colonel Young took Mr. Stearns away, off the ground. They then came back to me, headed by George Thornton, of Independence, who pointed me out as an abolitionist. He said he knew it by my discussion with him the night before in the streets, against their coming here to take away our political privileges, &c. I asked him if my time had come now, as they had driven off Mr. Bond and Mr. Stearns. His lips began to tremble, and he asked if I had intended to insult him by what I had said the evening before. I said he knew I did not by the way we discussed the subject. He then turned round and said, "if you will say you did not intend to insult me by what you said, that is sufficient." He then requested the men to leave me and walked off himself. I did not get an opportunity to vote until in the afternoon, towards night, when I voted.

By Mr. Woodson:

This Jackson Bush lived in the Territory at that time, about three miles from this place, and was a farmer. He came from Missouri into the Territory, and formerly from Kentucky. He is living here now. William Lykins I have spoken of is the son of Dr. Lykins, of Kansas City, Missouri.

JOHN DOY.

LAWRENCE, K. T., *May 3, 1856.*

A. B. WADE called and sworn.

To Mr. King:

I went into the Territory and made my claim on the 5th of June, 1854, and settled in the town of Lawrence. I was a candidate for the legislature on the 30th of March, 1855, and was elected. There were a great many emigrants came into the district from the time of taking the census up to the election, and greater in the month of March than at any time before, and as many as at any time since.

I did not canvass that district much, and there was very little can-

vassing done. At the time of the election, from all I could know, I believe the free State party had a majority at that time, but not so great as they themselves represented. The free State party were divided, and many of them would not vote for their candidates. I endeavored myself to get the candidates they nominated in order to make this split. Mr. C. W. Babcock was a candidate for nomination, but he was got to resign at the nominating convention. The pro-slavery men were at that meeting, and we got them to nominate S. N. Wood, who was known to be one of the rankest abolitionists there, and we voted for him and for Mr. Gooden, so as to have the free State party divided, and they were nominated. I know a great many free State men who voted that day the pro-slavery ticket, I saw them vote myself, and a great many came to me and got our tickets.

Dr. Robinson had been gone east, so I was told, several weeks, and he returned to town the evening of the day of election, and the first I saw of him was coming across from Lawrence to the place of election with fifty or one hundred men, quite a string of them marching up to the polls. He marched them right up to the polls and they voted the free State ticket, and then he marched them back. They were all strangers to me, and he had just come in with them that day. I knew most of the free State men residing in the district at that time. From my knowledge of the district, and the way the free State men voted, I think if all the votes of the Missourians and these strange eastern men had been thrown out, we would have had the same result. I believe our ticket got a majority of the legal voters according to the census. I saw nothing to intimidate the free State men from voting, and all were invited to come up and vote, and they came in line with the pro-slavery men and came up and voted.

The Missourians who came there said they came to rebut the illegal votes they believed were coming from the east. I heard several of the principal men say if the eastern men kept away they would not molest the election. They were referring to the statements made about the eastern men on the day of the nomination. Mr. Brown, the editor of the Herald of Freedom, stated on the day of the nomination, that there need be no fear about their being beaten, as he had just received a letter from Mr. Slater, of St. Louis, informing him that there were between six and eight hundred eastern men on the river on their way up, and would be up on the day of election, and three hundred would be at Lawrence. This thing was well understood, and the Missourians heard of it.

A great many Missourians came there in the evening before the election and camped, and on the next morning some two hundred went off in squads in different directions, some saying they were going to Tecumseh, and others to different points. I think I heard the Missourians express themselves in this way: that if the emigrant aid societies would let the Territory alone they would let the settlers settle the question themselves.

Cross-examined by Mr. Sherman :

I think all the hundred men who came up and voted with Robinson were eastern men, and all were strangers to me; they voted in a body

together, one after the other. I know that the following were old residents there: C. W. Babcock; I know several Nichols and three Allens, a Mr. Forman, John Hutchinson, a Mr. Morgan, S. N. Simpson, H. Bronson, Ellis Bond, M. M. Hammond, S. J. Willis, J. A. Ladd, a Mr. Lowe, Charles Robinson, a Mr. Johnson, (but not his given name,) also a Mr. Kimball, Edward Clark, S. C. Pomeroy, but not S. O. Pomeroy. These names that I have given were settlers at that time. I do not think these men were in that crowd of a hundred. I do not know where Robinson had been, and I do not know that he returned from Tecumseh that day. I do not know that Robinson voted with that company that time or not, but he went up to the polls with them. I do not know that Mr. Babcock headed that company; he may have done so, but I do not recollect of seeing him about the polls that day. There was quite an increase of the population in one district that spring, and a great many pro-slavery and free State men came in. I think, from all I could learn by inquiry, that the two sides were pretty nearly divided; there may have been more free State men than pro-slavery men; I lived in Lawrence, and saw more free State men as they passed that way.

To Mr. King:

The names I have given without their given names, I do not know whether they were the men on the poll books or not.

To Mr. Whitfield:

I do not know whether they left the next day.

To Mr. Oliver:

I saw this company come up, and the greater majority of them were strangers to me; as they came up it was asked who they were, and it was said that they were Robinson's company, and had just come in. I was in town the day before and heard nothing of him then.

A. B. WADE.

WESTPORT, MISSOURI, *June 9, 1856.*

JOHN M. BANKS called and sworn.

To Mr. King:

I moved into the Territory of Kansas about the middle of September, 1854, at what is called Hickory Point, on the Santa Fé road, in the first district. I was a candidate at the election of 30th of March, 1855, and was at Lawrence on the day of election. I was tolerably acquainted with the relative strength of the two parties in that district. I thought the two parties were pretty nearly balanced, but that, in a fair vote of the district, the pro-slavery party would have the majority. I did not canvass the district very much; I was in the different neighborhoods, but made no general canvass.

When I got to the place of holding the polls one of the judges appointed by the *governor* had resigned, and they were about choosing

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one in his place. The appointment was made, and the polls were opened, and the people commenced voting.

There were a great many people around the polls, quite a crowd about the window. I saw some gentlemen try to make a passage through for the voters; got ropes to do so, but could not; and then they got poles and put down there, and thus formed a passage, so that men could come up and vote and then pass along out.

At first it was so crowded that I saw some men lifted up over the house, and some crawled along over the others' shoulders. There were Missourians there, and I saw some of them voting.

Whether they had made claims before that I do not know; I know that a good many of them had claims. Some five or six came over and laid claims and have worked on them and resided on them since in my own neighborhood. There was a good deal said there that day, but I do not recollect of hearing any of the Missourians say they had come to counteract the votes of the eastern aid emigrants. I did not know many; some four or five, who were not entitled to vote, had no claims, and have not seen them in the Territory since. There were four young men who were in my neighborhood some eight or ten days before the election and made claims, but have not been back to them since. I did not know all the people there, and cannot say that I know any one personally who voted there who had no pretence to a claim, but were voting illegally. Almost every one I spoke to that day either said they had claims or were going to make claims and live in the Territory. I saw no man kept from voting that day. All were privileged to get to the polls if they could get to the polls through the crowd. I saw free State men and pro-slavery men there in the crowd together pushing up to the polls. There was a pro-slavery man from my neighborhood who would not push through the crowd, and after waiting till about an hour before the polls were closed, without getting a chance to vote, he went home without voting.

About an hour before the polls were closed, when the crowd was pretty much all gone, a gentleman came along, I do not recollect who he was, and said Robinson was just coming into Lawrence with a hundred men. I suppose it was a quarter of an hour after that I saw a parcel of men come across from Lawrence towards the house where the polls were held. They came forward and marched up to the window and voted and went back to town without making any halt. I counted between sixty and seventy of them, and there might have been more of them. I did not count all of them, but turned and walked away. There were between sixty and seventy of them marched up in one column.

I do not recollect whether I saw Dr. Robinson at that time, though I had seen him during the evening sometime. I had seen none of these men about Lawrence before, and they were all strangers to me. No one objected to their voting.

S. N. Wood and I were talking, and he said: "There are some arrivals as well as Missouri arrivals." That was all I heard about them.

I think there were illegal votes on both sides, but I thought that there were more from Missouri than on the other side, until these sixty or seventy came up in the evening, and then I could not tell how it stood. I entered into no arrangement by which illegal votes were to be brought there to secure my election, and did not desire to be elected except by legal votes. The increase of emigration between the taking of the census and the day of election was greater than ever before, as that was a good country and emigration seemed to be directed there, both free State and pro-slavery. I know a good many who had been there during the fall and winter and made claims, who were not there at the time of taking the census, but come in before the day of election. Some of them had taken their families to Missouri to spend the winter, and others had gone down there after their families.

The governor ordered a new election in that district, but the candidates of the pro-slavery party would not pay any attention to the election, and their friends did not attend the polls. I do not know a pro-slavery man who went to vote at the second election.

I am acquainted with Mr. Babcock, and knew him at the time of the 30th of March election, but have no recollection of seeing him at the head of the party of sixty or seventy who came up in the evening. He might have been in that company, but I did not see him. I never saw any of the sixty or seventy strangers afterwards that I know of, though I might have done so. I was told that some of them had returned to the east. I thought that the majority of those that came in after taking the census and before the election were pro-slavery men.

To Mr. Oliver:

I cannot say how many came in during that time. They appeared to be taking claims all over the country during the month of March. I never saw the like of it before. There were a great many of them, but I could not say how many. They became residents, and I think a decided majority of them were pro-slavery men. I do not refer at all to Missourians or others who came on the day of election, but to those who took claims and became actual settlers between the taking of the census and the day of election.

To Mr. Howard:

At the time of election I lived at Hickory Point, near the Santa Fé road, about ten miles south of Lawrence. I was pretty well acquainted in Lawrence. The country was newly settled, and we were all strangers to each other. I did not know all in Lawrence and its vicinity, but I think I knew a majority of the business men and men who lived there. I do not think I knew a majority of them who lived on claims within five miles around Lawrence. I was in the habit of going to Lawrence quite often, but I cannot say that I went on an average of once or twice during the month of March, but I think I did. I was travelling around considerable, but did not travel the same road all the time. I do not know whether I knew ten of the voters in the district or not by name, but I think I knew more than

that by sight. We were all strangers, settling in the district together, and we did not know each other very well. I suppose that betwixt two and three hundred settlers moved into the district after the census was taken and before the election, and a majority of them were pro-slavery men. I think they, as a general thing, became actual settlers and are living there, or have sold their claims and gone to other portions of the Territory, as is customary. I think the time I saw Dr. Robinson was of this party of sixty or seventy that came up to the polls. He was towards the back part of the line and went up to the polls, but I do not know whether he voted or not. I saw him just off the crowd, talking to some one about fifty yards from the polls, and then he went back to Lawrence. I understood that he was coming from Kansas City that day with the one hundred men; I did not see them on the road, and not at all that day until I saw them coming across to the polls. I heard the person who told me that Robinson was coming with one hundred men say that there were two or three hundred more behind at Kansas City who could not get conveyances up. I do not know who the man was who told me this, and whether he was from the camp of the Missourians or not. I was standing talking with some one else when he came up and told us this.

I think between two or three hundred actual settlers came in the district during the month of March, but I do not know as I can give many of their names. There was one near me by the name of Wm. Cummins, and there were George Mermion and Perry Kipetos, who moved into my immediate neighborhood. I cannot think of any more now. I know one family, a widow lady with some five or six young men in the family, by the name of Hopper, who moved in in March or the last of February, and settled about two miles from Lawrence. The Santa Fé road was the line between the first and fourth districts. I do not know how many voters there were in the Hickory Point neighborhood. I supposed there were seven or eight hundred voters actual residents in the first district at the time of the March election. I do not recollect of going into the camp in the ravine back of the town where the election was held, though I saw several wagons and one or two tents over there.

I recollect of seeing one man carrying a shot gun on his shoulder, and that was all the arms I saw going there that day. I know Colonel Samuel Young when I see him, and I saw him there that day. I am positive there were more than one hundred pro-slavery voters in the first district at that time, though I do not know how it is now. I counted up something over forty near Hickory Point, and there was quite a settlement on the Wakarusa, many of whom were pro-slavery men, and I think there were some in the vicinity of Lawrence.

To Mr. Oliver:

I believe there were three hundred pro-slavery voters in the district at that time.

To Mr. King:

The man I refer to said that Robinson had come into Lawrence with

one hundred men, and there were two or three hundred down to Kansas City who could not get up. I did not pay much attention to what he said, and shortly afterwards I saw those sixty or seventy coming up.

To Mr. Scott:

I moved into the Territory from Pennsylvania. I never attended any election in the western country, except those in the Territory. I did not know anything about the habits of the people here in carrying arms to elections.

To Mr. King:

I know Mr. Thomas Mockaby who keeps a store at Willow Springs. Mr. Mockaby was keeping store there when I went into the Territory, in September, 1854. His house is on the south side of the old Santa Fé road, but there is a road that is travelled during the summer months which is north of his house. We understand the old Santa Fé road to be the dividing line between the two districts. His store-house is on the same side of the road with his house.

JOHN M. BANKS.

WESTPORT, MISSOURI, *June 4, 1856.*

JAMES WHITLOCK testifies.

To Mr. King:

I was elected at the 30th of March, 1855, election, (at Lawrence,) a member of the house of representatives of the Kansas territorial legislature. I have resided three miles south of Lawrence since October, 1854. I was present on the day of election. I did not canvass the district at all, as I was sick most of the time after my nomination and before the election. A great many I saw on the ground on the day of election were strangers to me, but many of them I have since found to have been citizens of the district. I do not myself know of any votes cast there that day except by residents of the district. There was, I think, a very great deal of emigration into the district after the census was taken, and before the election. I believed from the time I got the nomination that I would beat my opponent. This I believed from what my friends told me, for I was not out of my room for three months before the election. It was rumored that the free State men would vote for the pro-slavery candidate, and from the vote given I should think they did so. I do not know as any illegal votes were given that day. It was said that some right fresh emigrants voted that day. Late in the evening of the day of election there was a noise among the multitude that stood around the polls, that some emigrant aid men who arrived that day were going to vote. The election was held a little west of the town. I saw some seventy-five or eighty men, walking in double file, coming from the town to the place of election. There was a gentleman they told me was Gen-

eral Pomeroy, whom I have got acquainted with since, at the head of this party. He is known in Lawrence as the agent of the Emigrant Aid Society. Some of the bystanders were in favor of not letting them vote, for the reason that they were said to have just landed in the Territory, that morning at nine o'clock. I told them this, and it was the only thing I said during the day about voting: "Let them vote; I want to see every man here vote, if he is entitled to vote." The party went up and acted as if they were voting, and it was understood that they voted. I do not know what ticket they voted, but it was believed by the people that they voted the abolition ticket.

There was among the people a feeling of difference between what they call free State men and abolitionists. I understood that the free State party tried to nominate their candidates, and were defeated by the abolitionists, and would not support their ticket, and my opinion, founded upon rumors, is, that they did not support the abolition ticket.

Cross-examined by Mr. Howard:

I had no knowledge of the strength of the parties in the district, except from my attending an indignation meeting some months before the election. My opponents were considered mostly abolitionists. At the time of the election I considered, if there were no illegal votes on either side at the election, that our party could beat the other parties easy.

From all the information I have, I think General Whitfield is and has been very popular among the pro-slavery party in that district, and would poll a very fair vote of the party there at any election. At the last election I think there was some other person spoken of as a candidate for Congress, but no one was run but Whitfield. At the time of his first election I do not think there was any division in the pro-slavery party, but they voted for General Whitfield.

To Mr. King:

From the time of Whitfield's first election down to the election of the 30th of March, 1855, I should think there was an increase of residents in the district of four to one. When I built my house I could not see but one house from mine, now I can stand in my yard and see forty or fifty houses around me. At the time of Whitfield's first election there were but two or three houses between my house and Lawrence. At Whitfield's last election, as he had no opposition, I do not think there was a general turn out of the pro-slavery party, as I know of some who did not go and vote. I was at the election, and I do not think there was a general turn out of the pro-slavery party.

To Mr. Oliver:

There was no interest taken in the election, as there was no opposition, and the pro-slavery party thought there was no use in their going to vote, as Whitfield would be elected any how.

JAMES WHITLOCK.

WESTPORT, MISSOURI, *June 7, 1856.*

HORATIO OWENS testifies.

To Mr. King :

I have resided in the first district, Kansas Territory, at Hickory Point, since June, 1854. I was at the election, at Lawrence, of the 30th of March, 1855. I am the oldest settler now at Hickory Point, the two who settled there before I did left. About the time of the March election there was quite a heavy settlement around Hickory Point. There were more came in during February and March than I knew of before. The emigration in March was heavier than at any other time. A great many came in before the 30th of March, 1855. From the best information I could learn about the first district, at that time, the pro-slavery men had the majority. I was not much about Lawrence, but when I was over there at the election I got information that many were settling in and about Lawrence both before and after the election. I lived twelve miles south of Lawrence. I saw nothing that day like trying to prevent any man from voting. I saw a number of men there I have never seen before or since. All were strangers to me, except those who were from my immediate neighborhood.

To Mr. Sherman:

I voted that day.

HORATIO OWENS.

WESTPORT, MISSOURI, *June 6, 1856.*

H. W. BUCKLEY called and sworn.

To Mr. King:

I moved in March, 1855, to about three and a half miles from Wil-low Springs, in the first district, and have lived there since. I was on the ground on the day of election, on the 30th of March, 1855, at Lawrence. There were a good many Missourians there that day, and a great many eastern men, who were strangers, persons I had not seen there before. I think, in the latter part of the day, something near one hundred of these eastern men voted the free State ticket. I did not know any of the free State men in this party of a hundred. I was not well acquainted at that time in Lawrence, and had never been there before the day of election. I think there were some 300 or 400 Missourians there that day, but there were a great many who did not vote at all.

H. W. BUCKLEY.

WESTPORT, MISSOURI, *June 9, 1856.*

SECOND DISTRICT—*Bloomington.*

HARRISON BURSON called and sworn.

I settled in the Territory on the 27th of September, 1854, in the second district, and have resided there ever since. I was there the 30th of March, 1855, and was one of the judges of election in that district, appointed by the governor. The judges met on the morning of the 30th, and after being sworn, the polls were opened, as near as I can recollect, about half-past eight o'clock. We proceeded to receive votes, and had taken some fifteen names, when a company, as near as I can recollect, of three hundred and upwards, came marching up with flags hoisted. I believe they were generally armed. They came to the polls and demanded to be allowed to vote. My reply was, that if they were legal voters they should have that privilege. I told them that as the most of them were not known to me, the oath required by the law would have to be taken by them. This man Jones, known now as sheriff Jones, appeared to be the leader of the gang, and replied that they would not take the oath. His name is S. J. Jones, and is now acting as sheriff. I replied that except they did take the oath they could not vote. Jones replied that they had come up from Missouri to vote, and they would vote, and they intended to make Kansas a slave State. They stated, also, that if they could not vote by fair means, they would by foul. Jones, and others of the party, whose names I do not know, said this. They also stated that no man should vote there that day that would take the oath. Some men who were about the window, and had not voted when this crowd came up, upon attempting to vote were taken up and carried back by the mob. They then requested us to resign, if we would not let them vote. Our reply was, that we should not do it. They then stated that if we did not do so they would tear the house down and kill us. They made a rush, and stove in the window and sash together, fixed pries to the two corners of the house, and pried up the building some distance and let it fall back. It was a log house. At that moment one of the judges, Mr. Ellison, gathered up the ballot-box and rushed to the door, and said that if we did not close the polls there would be one hundred shots fired in here in less than fifteen minutes, and we would all be killed. He opened the door and ran out into the crowd, taking the ballot-box with him, and hurrahed for Missouri. At that moment numbers rushed in the door as fast as they could come in, with revolvers and drawn bowie-knives in their hands. They now filled the house; and Jones, one of the first who came in, requested us to resign; that if we did not resign they would kill us. Jones drew from his pocket his watch, and gave us five minutes in which to resign or die. He held the watch until the five minutes expired; and as we did not resign, he extended the time one minute longer. About the expiration of the one minute, I was called out to see Mr. Wakefield, telling Jones I would give him an answer about resigning when I returned. After I got out of the house, my friends out there thinking it was dangerous for me to remain there any longer, judging from

the state of the crowd, and the number intoxicated there, persuaded me not to go back into the house. Before I left the house, I had secured the poll-books by putting them into my pocket. After consulting, we concluded to go across, some quarter of a mile, to Mr. Ramsay's, one of the judges, and wait to see if the rage of the crowd would not cool down. This Jones made an attempt to take from me what he thought was the poll-books, before I left the house. He seized them and pulled them from me, but they were nothing but some blanks. Finding that they were not the poll-books, they despatched a company in pursuit of me. Upon my being informed of what they wanted, I put the poll-books in the hands of one of my friends for safe keeping. We both started off together from Mr. Ramsay's. Mr. Umberger was the one I gave the books to. We saw a number of the mob pursuing us. I told him to go on home, and I would take down the other way, and as they would pursue me, he could secure the books. They missed me and pursued Umberger, and caught him just before he got to the house, and made him prisoner. They searched him and took the poll-books from him by force. I was in sight and saw all this. They asked him where I was. I was close enough concealed in a hazel thicket to hear their conversation. He told them he did not know; but pointing the way I was going, said the last he saw of me I was going down that way. Jones then took Umberger behind him on his horse, and carried him back to the place of election. By this time it was about 12 o'clock, and we went across to a neighbor's for dinner; I mean Mr. Jesse and myself. I saw the election going on as I was standing at Mr. Wood's house, near the place where the election was going on. Some time in the afternoon a detachment of between sixty and eighty, as near as I could judge, started for Willow Spring. I saw them leave after they got through voting. I knew some of the party in the mob who were citizens of the Territory, but not many of them. The Lehays—two, if not three, of them—were there. I had seen in Missouri some of the strangers. Mr. Jones lived in Westport at that time. I came here to this Territory from Illinois.

Cross-examined by Col. Woodson :

I did my trading at Westport, and frequently saw Mr. Jones there. I heard him say, on the day of the election, that he came up from Missouri; but heard him say nothing of his residence. He was not a resident of this Territory previous to his being appointed sheriff here. Mr. Wood's house, I should judge, was about four hundred yards from the polls. I was at a nearer point than that at one time, but not to the polls. I saw them voting, handing in their tickets at the window, but did not know them. I saw different persons voting. I could not recognise them from my place; but I could tell they were not citizens. I knew there were several citizens present who had not voted, and had left the polls before I did. I could distinguish between the Lehays and the strangers by their dress. I did not see any citizens vote at that time. What I mean by voting is, that I saw them handing in their tickets. I had walked up where I was, about two hundred yards from the polls. There were one or two persons with me; Mr. Jesse was one. I am not positive that there

were any others. I understood these strangers were not residents, because I knew most of the residents in the district. When they first came up they said they came from Missouri, and I recognised the crowd voting as the same crowd. I came to the Territory the fall before the election, and by that time knew most of the persons in that district. It was said there were many emigrants coming in that spring, but not many in the district where I lived. Most of those there were from Missouri and Illinois.

To Mr. Reeder :

This election was held in Bloomington, on the Wakarusa, some ten or twelve miles from Lawrence, southwest from here.

To Mr. Sherman :

I do not know who has the poll-books of the second district. My means of learning the residents were from travelling over the district and laying down the lines. I knew the greater part, except men who had just come in.

To Mr. Reeder :

I had been appointed and was acting as a justice of the peace.

To Mr. Sherman :

The citizens were not armed, as far as I knew.

H. BURSON.

LAWRENCE, K. T., *April 28, 1856.*

HARRISON BURSON recalled.

I have examined the list of voters for the second district for the 29th November, 1854. I find somewhere in the neighborhood of thirty persons on that list who were residents of that district at that time. I examined the list in connexion with the census returns. There were two hundred odd votes polled at that election.

H. BURSON.

LAWRENCE, K. T., *April 28, 1856.*

NATHANIEL RAMSAY called and sworn.

I came into the Territory on the 27th of September, 1854, from Illinois. I settled on Wakarusa, in the second district, close to Bloomington, and have resided there ever since. I was appointed one of the judges of election for March 30, 1855. The polls were opened about half-past eight o'clock, and we proceeded to take tickets till about half-past nine o'clock. Some twenty-five or thirty tickets, I think, had been polled up to that time. Some four or five of them were not known to the judges as residents, and were sworn. A large number of men then came up in wagons and carriages, and on horseback. I should judge there were between two and three hundred of

them. They were strangers to me. I was tolerably well acquainted in the district. They were mostly all armed with revolvers and knives. Some few had double-barreled guns. There were several flags in that company. Most of the company seemed pretty much intoxicated. They came to the polls to vote. We requested them to prove they were actual residents of the Territory, or swear to it. They refused to be sworn, and said if we did not let them vote peaceably, they would vote otherwise. There were several men they called captains and lieutenants whom I was not acquainted with. I saw Mr. Jones, the sheriff now, with the company. Claiborne Jackson was there. I do not know where he resided. They would not be sworn to vote, and they said no man should vote that day who was willing to be sworn; and while I was sitting as one of the judges they would let no man be sworn. They hurrahed around there, and ran one or two men from the polls who said they were willing to be sworn as to their residence. They then broke in the windows, and pried up the house a little ways, and let it fall back again. Mr. Ellison then took up the ballot-box and ordered the polls to be closed for the day. He carried the box with him out of doors to the company around the house, and cried out "Hurrah for Missouri!" He then walked back to the door and called for the election of two other judges. A company of some six or eight men then rushed in the door with knives and revolvers, and called upon us to resign, which we did not do. Mr. Jones then took a watch from his pocket, and gave us five minutes to resign in or die. The time expired, and he limited us to another minute. At this time the company in there had their revolvers ready to shoot, and their knives in their hands ready to stab. I then left the house with Mr. Burson and proceeded to my own house, about a quarter of a mile distant. Mr. Burson left my house while I remained there. A party of about fifteen men rode up, demanding the poll-books. I told them the poll-books were not there. They then asked where Burson was. I told them he had started off west from the house. They proceeded that direction. It was some ten minutes before they returned. They stated when they returned that they had found the poll-books, and taken Umberger as prisoner. They arrested Wakefield at my house, and took him off as prisoner. There was a company of about twenty-five; some fifteen were on horseback, and there was a wagon-load besides. I do not know how many. When they came up and demanded Wakefield from a company of men who were there, who refused, they said they would take him dead or alive. They said if he would go back with them and explain something, I did not hear what, there should not be a hair of his head touched. They were all armed with revolvers. They took him away with them. Wakefield returned in a short time. I did not go back to the election ground that day. The residents left about the time we did and went home. These strangers said no man should vote that day unless he would vote an open ticket, and who was "right on the goose." They stated at my house that the 30th of March was a very important day with them, as Kansas was to be made a slave State on that day. I did not hear them say

where they came from. The greater part of them were strangers to me. I was tolerably well acquainted in that district.

Cross-examined by Mr. Woodson :

They came to my house and told me this was an important election. There were some fifteen of them. Mr. Jones was with them, and they said they must have the poll-books, as that was an important election with them. Umberger was a prisoner with them.

NATHANIEL RAMSAY.

LAWRENCE, K. T., *April 28, 1856.*

JAMES M. DUNN called and sworn.

I came into the Territory about the first of November, 1854, from the State of Maine. I settled near Bloomington, in the second district, and have resided there ever since. I was at the election of the 30th of March, 1855 ; I went to the polls very early in the morning. We had heard that there was a great number of teams between Bloomington and Westport coming up from the States. After I got there, teams arrived in such large numbers as to surprise me ; they continued to arrive until near nine o'clock. I counted the teams and made out seventy, two and four-horse wagons. There were 150 mules and horses, saddled, hitched there after they arrived. At the opening of the polls all was quiet for some time. The wagons were pretty well filled, and contained from four to six each, and in some cases as many as eight, I should think. Things remained quiet for a time. This party went to the west side of the house and held a little caucus by themselves awhile. Some twenty or more votes were polled. They then came to the window where the voting was done, and went there to give in votes. The judges of the election were not satisfied they were residents of the Territory, and wanted them to take the oath prescribed, which they refused to do. The judges contended that they could not act according to their instructions without doing so. The other party said that, if they had been here two minutes, it was as good as two years, and they had a perfect right to, and would, vote. The judges still insisted upon their being sworn. They refused, and said they would shoot any person who would swear. They then, to a great extent, left the window and went to another spot, perhaps some fifty feet distant, when a gentleman made a speech to them. I asked who the gentleman was, and I was told he was Mr. Jackson, from Jackson county, Missouri. He said in his speech that all knew what they had come there for. They had come there to vote. "We will," said he, "peaceably if we can, forcibly if we must." That was the sentence he used. The mob then went to a large wagon, hauled there by eight oxen, and handed out a great many arms ; I did not count how many. They were mostly revolvers that I saw. They tied a white tape or piece of cloth in the button-holes of their coats when those arms were given out. They then came back to the window with declarations that they would vote, and demanded that the judges should resign im-

mediately. After a good deal of noise, confusion, and threatening, the judges left the house. I was not in the house, and do not know what was said in there. I heard those outside of the house say that, if they did not resign in five minutes, they would cut their throats. I tried an hour and a half to get to the window to vote. They would not let me vote without showing my ticket, which I did. They then crowded me away by force, and I could not vote. My ticket was for Wakefield for council, and Macey and Davis for representatives. The opposition candidate was McDonald, I think, for councilman, G. W. Ward and O. H. Brown for the lower house. They were willing we should come and vote after they got control of the ballot-box. Most of the citizens went home, but a few remained, though I know of none who voted. I saw one man of this mob take a small man by the collar and tell him he might vote if he would vote the ticket with McDonald, Ward, and Brown on it. He would not vote that ticket, and they thrust him out over their shoulders, as there was such a crowd he could not get out any other way. One man said he was hired to come there and vote, and by God he would vote. While these scenes were being enacted, they were accompanied with a great deal of noise, confusion, and swearing. These people were intoxicated more or less. I knew S. J. Jones in Westport; he was a very prominent man on the day of election, and took a very active part. I considered him a leader. I had been in the post office at Westport, and took letters out there when he was postmaster there. I had never heard of his moving into the Territory, and had no doubt he lived in Westport. I lived in Westport some two months before I moved into the Territory, and he tended the post office there, where my letters were usually directed.

I was on the ground the principal part of the day of election. I believe I was about the first man there. I went home at noon, about one mile, for dinner, and came back and remained till it became dark. This party brought Mr. Wakefield back to the polls. I could not say how many there were in that party; there were from fifteen to thirty-five, and they were armed. I do not know who headed the party. I had lived in the district from the previous November. We were frequently called together in the district to erect log-cabins for one another and for strangers, and by that means became acquainted.

This party who came there, upon inquiry of a number of them, confessed to me that they were from Missouri. I asked one of them what he would do if we were to go to their election and act as they did, and he replied, "We would whip you out." I heard this gentleman, who made the speech, tell his party what they came for, and, for one, he was not willing to go away till it was accomplished. They gave him three cheers when he closed his speech. I staid on the ground till the last of this party left. They went away the road they came, towards Westport, Missouri.

Cross-examined by Mr. Woodson :

I was acquainted with this man Jones before I moved into the Territory. During the winter before the election I did not see Mr. Jones, and do not know where he resided, only as report said. I suppose he resided at Westport, as he kept the post office there. I do not know

the time he was postmaster, but have taken letters from the office while he was there.

The wagons came in companies of two, five, and ten along the road, and all arrived in the course of two hours. They had colors flying, but not in martial order. Some of them of whom I inquired told me they were from Missouri. I supposed they were all from Missouri; because I asked them where they were from, and they told me so. I do not know how many I asked that question of. It was usual to ask every one, actual residents and all, where they were from; but we knew nearly all in the district. I think I inquired of twenty or thirty men, who told me they were from Missouri. Some who came in that crowd did not vote, and said they would not have come had they known the conduct there would be thus.

I do not recollect that I personally know of Mr. Jones acting as postmaster in Westport between the time I arrived in the fall and this election. After the election I was in the post office, and he handed me my letters. I cannot be certain in regard to the time.

By Mr. Sherman :

I did not converse with any one that said he had come through Lawrence, or had been there. Mr. Jackson, in his speech, did not mention the place where they came from, as I recollect.

JAMES M. DUNN.

LAWRENCE, K. T., *April* 28, 1856.

J. N. MACE called and sworn.

By Mr. Reeder :

I came into the Territory about the 1st of September, 1854. I settled first in Lawrence. I moved into the second district about the last of February, 1855, and have resided there ever since. I was at the election of the 30th of March, 1855. I reached the polls somewhat late, having seven miles to go. There was a very large crowd around the window there, so that it was very difficult of access. I heard cries from the crowd that "no damned Yankee should vote there that day; that the first man who took the oath, they would rip his guts out." Those were the words they used. I went around the house, as I could not get to the window from the eastern side. I attempted to get through the crowd, so as to put in my vote. After a struggle of perhaps an hour I got near the window. A man was at the window attempting to vote. The judges required the oath of him; he was willing to give it, but the persons on the outside told him if he did so, they would instantly kill him. He then left, saying they had lost one good vote, as he was "right on the goose." I then stepped forward to the window, when a man on my right took hold of my arm and said, "Unfold that vote and let me see it." I told him I came there by the United States law to vote, and that law gave me the right to vote by ballot; and if I could not vote so, I would not vote at all. They then asked me if I should take the oath. I told

them if the judges required the oath of me, I should take it according to law. An old gentleman with a white string in the button-hole of his coat then stepped up. They asked me to give way for him to vote, as he was an old man; and I did so. After he had voted, I stepped forward, put my hand inside the window, and gave my name; when, at a word from one of the two men who stood one on each side of the window, I was seized by the people in the crowd, and dragged from the polls through the entire crowd. They made shouts of "Kill the damned nigger-thief," "Cut his throat," and many cries of that kind. I saw revolvers cocked and bowie-knives drawn, all around me, at that time. After I had been dragged out of the crowd I regained my feet. I had a small American flag under my arm. When I got to my feet, I unfurled it and held it over my head. I told them that we were here, and had no law to protect us, and I sought protection under the American flag, which was universally respected in foreign countries, and I supposed it would be here. The crowd did not seem to understand what it meant, and they let me alone. Some of them asked what it meant; and some one of their party said they had better not kill a man when he was under the American flag. I heard some voices say that flag was false, and pointed to a flag waving over one of their wagons with one star in it, and said that was the true flag. I then said, "Who calls this flag false are traitors." One man, who had a large cloak on, threw it off and came up to me, and, thrusting his fist in my face, asked me if I called him a traitor. I said, if he called that flag false he was a traitor. Then another man stepped up to me, and told me to take that back, at the same time opening a clasp-knife, and put it so it touched the breast of my coat. Another man had a revolver, which he held close to my ear. Another man struck at me with a club, and a friend of mine turned it off with his arm, and it struck somebody else. At this instant a fight, or row of some kind, was got up at some distance, which attracted their attention, and they left me. I then walked around the building, and saw some individuals with a large lever attempting to pry up the house, so as to take the logs out. They did not succeed, as they could not lift the logs high enough to take one from under the other. While they were looking for a large fulcrum, a man came out of the house with a bundle of papers in his hand, and held them up, saying, "We have got the documents." I saw Mr. Ellison come out with the ballot-box, holding it up over the crowd, and hurrahing for Missouri; that is about all I saw. I did not know any of this crowd, or any there, except those who lived in the district. I should think I did not see more than twenty residents of the district in the crowd, the rest being foreigners. I did not hear any of them say where they came from. I heard some of them say they came there to vote, and they would vote in spite of the President, the governor, the laws, and the devil. I think I staid there till about 12 o'clock—about three hours. I did not know S. J. Jones at that time. I know him now by sight. I could not say whether he was there or not. Almost all the people there had white strings in their button-holes. The one of whom I spoke I knew by sight; he

lived in the Territory. There were seven that went to the polls in company with me, and we all came back without voting.

J. N. MACE.

LAWRENCE, K. T., *April* 28, 1856.

J. C. DUNN called and sworn.

To Mr. Reeder :

I came into the Territory in the month of December, 1854, and settled on the Wakarusa, near Bloomington, and have resided within the vicinity of Bloomington ever since. I was at the election of the 30th of March, 1855. I was one of the clerks to take down the names of those who swore. I was on the ground about as soon as any one there. All this crowd got there in about two hours from the time they commenced to arrive. I supposed them to be people from Missouri. I thought there were from 500 to 700 of them. They came on horses and in wagons. They were principally armed with revolvers. There was a large wagon drove up in front of the door ; it contained Colt's revolvers and a great many double-barreled shot-guns. I saw that their arms were all capped and loaded. After Ellison was called to the door, he went out and returned directly, and stated there would be one hundred shots in less than fifteen minutes if we did not leave. There was a cry outside not to shoot, as there were two pro-slavery men there. At that time I was sitting by the window as a clerk, and there was one on the outside who called out for the crowd to get away from the window until he shot the God damned white-headed abolition judge. The judges were given five minutes to leave the house, or they would be shot and their throats cut. The five minutes expired and they had not left ; and as I sat by the window, I could hear the revolvers cocking in almost every direction. They had another minute given them to resign. During this time there was a lever or pry rigged under the corner of the house. The judges left and closed the polls, and said there would be no election. At that time a man I took to be Jones came in and took a package of papers off a box, and took them out and shook them and hallooed "Hurrah for Missouri!" After the judges left they then proceeded to elect two other judges, and continued the election. I was around there all the time, and was there the whole day. After they had driven the judges from the house, they seemed to rejoice over their victory. One of them said to another, he was hired to come there to vote, and by God he would vote. They said that Tom Johnson was their governor, and they swore vengeance on Governor Reeder. I do not recollect of hearing what they were going to do with him ; but they said, for one thing, they would like to cut his heart out. I do not think that I saw Ellison do anything with the ballot-box, though I have some faint recollection about it. They wanted Mr. Burson and Mr. Ramsay to receive their votes without swearing, as Mr. Ellison was willing to do. They said they would not do it, but were going to discharge their duties according to law.

I heard some man making a speech, but do not recollect what he said, or what his name was. I saw one man there who was a doctor, and kept an apothecary's shop in Westport, on the corner in front of the Harris house. I do not recollect his name, but think I would if I heard it. He recognised me, and came up to me and shook hands with me. (Upon being asked) I think it was Dr. Earl. These men, in my opinion, were strangers. I know that many of them asked me the way to the precinct. I knew that the most of them were not residents of the district, because at that time I knew the greater part of the residents by sight. I saw these men go away; they all left within two hours, I should think, from the time they started. They took the road towards Westport.

Cross-examined by Mr. Woodson:

I was not acquainted with all the persons in the second district. I do not know that there were more moving in there than usual. There were some moving in, in the neighborhood of McGee's, and they laid out a town there.

I think at that time I knew more than one-half of the residents of the district by sight. These men I did not know to be residents of Kansas, and some of them I did know to be residents of Missouri. I heard them say, at different times, among themselves, that they had come from Missouri to vote. I refer to those of the election of the 30th of March. I should think there were from five hundred to seven hundred came there, and from appearance they voted pretty generally. I do not say that every man voted, but they were voting there for a great length of time. I heard two or three say, if they had known what kind of people inhabited that place they would never have been caught there, and would not be in such a mess again. As far as I could ascertain, I should think the principal leader of the gang was Steel, of Lexington, Missouri.

JOHN C. DUNN.

LAWRENCE, K. T., *April* 28, 1856.

ANDREW WHITE called and sworn.

To Mr. Reeder:

I came into the Territory and selected my place, where I now live, on the 5th of June, 1854. I came from Missouri. I was formerly from Morgan county, Missouri. I moved my family out here in the fall, after having built houses on my claim here. I was at the election in Bloomington on the 30th of March, 1855. I got there about nine or ten o'clock, going up with the Missouri company who were passing by at that time. I was acquainted with some of them, though I do not know as any of them came from Cass county. I knew Claiborne Jackson, and had known him since he was a boy. I lived in Missouri for thirty-five years. I do not know how many there were in this company I went up with. They had been passing my house for an hour, and the road was full as far as I could see, back and

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before. They said they were going to vote at the election. I had not much conversation with them on the road, but I talked with them right smart after I got up there. I asked some of them their reasons for coming up in our country to vote. They were young men I was talking to. They said they were hired to come up, and got a dollar a day. I stated that perhaps they would not be allowed to vote. They said they had come to vote, and they would vote, or die there. Those I was talking with, judging from their conversation, were from Jackson county, or from the edge of the county east. I knew him by sight, but do not recollect his name. I had no conversation with Claiborne Jackson. I heard his speech. He got up and said that they had come there to vote, and he thought they had as much right to vote when they had been there five or ten minutes as a man who had been there four or five years, and they would vote before they left there, or die. The crowd cheered him when he got through speaking. I think he ordered them to form into companies of fifteen or twenty, and form around the window, and let no man vote who was willing to swear. They did so. I heard Steely's name called more than any other man's there. I should know him if I should see him again.

About the time they formed themselves they got the white ribbons or strings in their coats. As they formed around the window the crowd was pretty strong there, and they got a big rope and wound it around them so as to let no one get in there with them. They swore they would let no man vote there who was willing to be sworn. All this time they were arguing with the judges, and threatened to destroy them if they did not either resign or take their votes without swearing them. At last they said they would tear the house down, and fixed a pry there, and pried the house up right smartly, but did not get anybody out. In a few minutes they threatened if they did not resign or let them vote, they would fill the house full of shot in five minutes, I believe. The next I noticed was, I understood the judges would close the polls and give them an answer directly. The polls were closed, and the judges came out and went off. I went down under the hill. I went with them. Burson expected they would be after him for the poll-books. He gave them to Umberger, who took them and went off. I went up to Mr. Ramsay's, and saw nothing more of Burson until the evening. Directly after I got up to Ramsay's they came back with Umberger and the poll-books, and took them to the polls. They then came back and said they had orders to take Judge Wakefield back with them. There were several of us who said they could not take him, and they swore they would have him, dead or alive. Some two or three got off their horses. Judge Wakefield was in the house, and said he would not be taken by any such set of ruffians as they were, and I think he seized a gun. They stated that they did not want to hurt him, and he should not be hurt at all if he went with them peaceably. He told them if they would give their honors he would not be hurt while he was there, he would go with them if they had any business with him. He went off with them, and returned back after being gone some time, not very long. The company of residents then broke up, and mostly went

home. I went to the polls and staid there till night. Ellison continued to act as judge, but I do not believe I know the others who acted as judges. I saw these people go away the same road back that they came. They started two or three hours by sun. A party of some thirty or forty were left about the house to guard the polls until six o'clock. They were armed with revolvers and double-barreled shot-guns. The rest went away when they had voted. I believe all had arms. I did not notice any of them without. They formed around the wagon about the time they said they would tear down the house, and formed in small companies, and took rifles and shot-guns out of the wagon. I did not look into the wagon. I think there were some ox teams, but they were generally two-horse and four-horse teams, and mule teams. They had some flags, but I did not notice them very particularly, except they were common flags, such as armies have.

Cross-examined by Mr. Woodson :

It was from these men I learned their residence. I inquired of a dozen or so; all I talked with told me they were from Missouri. I should think there were five or six hundred altogether. Some of them I knew by sight, but not by name, as I lived in Missouri for a year, and had seen them near Westport and Independence. They spoke it out publicly in conversation. There was no public speaking except by Claiborne Jackson. I resided in Cass county, Missouri, on what is called the High Blue, near Little Santa Fe. I formerly came from Morgan county, Missouri, and have lived in Cooper county, Missouri.

To Mr. Reeder :

I was well acquainted in the district. I do not think there were more than half a dozen—there might have been a dozen—in this company who were residents in the district.

his
ANDREW + WHITE.
mark.

LAWRENCE, K. T., *April* 28, 1856.

DR. E. G. MACY called and affirmed.

Examined by Mr. Reeder :

I came into this Territory about the middle of November, 1854, and settled in the second district, and came from Butler county, Ohio. I have resided in the second district ever since. I was at the election of the 30th of March, 1855, at Bloomington. The first thing that attracted my attention after I got there was a large body of strangers, who were holding a formal election in the front of Esquire Burson's house. I heard the name of Thomas Johnson announced as our governor. The polls were then opened, and there was a general rush around the window. Two men, who were strangers, placed them-

selves one on each side of the window, and acted as foremen, and dictated more or less to those who came up to vote, and told them they should not qualify according to the directions in the proclamation. The crowd that surrounded the polls was, I should think, some fifteen men deep. It was impossible for me to get to the polls. I crowded in for half an hour, and did not get more than half way to the polls from the outside of this body of men. I was recognised by some one in the crowd, who cried out "There comes an abolitionist." I went back out of the crowd, by their help, a heap quicker than I got in. Soon there was an announcement that Claiborne Jackson would address the congregation. He took an elevated stand, and addressed the people by saying that a few minutes' residence in the Territory gave them as good a right to vote as though they had been in years. He said that that was the order at California, and it should be so here; that Governor Reeder had no authority to issue any such orders as were in his proclamation; that they had come here to vote, and they would vote. He then called upon the people to form themselves in companies of fifteen men each, or somewhere of that number; they proceeded to do so; they had white strings and ribbons tied in their coats. Immediately after those orders, I saw numbers of them over the grounds, loading double-barreled shot-guns. A committee of three, I think, was then appointed to wait upon the judges, to demand that they should resign. After five minutes had expired, some gentleman—I do not know who, as they were all strangers—took out his watch, and said "We will give you one minute more; if you do not resign in that time, this house will be torn down." At that period there was quite an excitement in the crowd—a great many oaths and threats. I saw a lever placed under one side of the house, and I think the logs were raised some two or three inches, and let fall in their places again, without doing much damage.

During this excitement, I heard a crash in the window, and saw a confusion at the front door and a rush in the house. I passed around where the front door was, and saw a man they called Mr. Jones come out with a bundle of papers in his hands, and held them up and hallooed "Hurrah for Missouri!" I heard somebody call me, and I looked around, and Esquire Burson, Judge Wakefield, and some others were some fifty or sixty yards north of the house. I went to them, and we went down under the bluff. There were some four or five of us, as near as I can recollect. We concluded, after a short conversation, to go to Mr. Ramsay's house. Esquire Burson had the poll-books in his pocket. About that time we saw a crowd on horses and mules coming towards Mr. Ramsay's, where they came and called for Esquire Burson. Judge Wakefield told them positively he was not there. They were told the poll-books were not there. I saw these men ride down across the prairie very rapidly, and they soon returned with George Umberger, a neighbor of ours, behind one of them. They came up to Mr. Ramsay's house, and demanded that Judge Wakefield should go up to the polls with them. He refused to do so; when they drew revolvers, some of them cocking them and swearing that he should go, dead or alive. The old man declared he would not go, and if they took him there, they would take him dead; but finally they pledged

their honor, if he would go, he should not be hurt. He walked up, and they followed him on their mules shouting. I and one of the judges followed them. Just as we got there, the judge came down off a stand, or out of a wagon, where they had had him up making a speech. He had a badge in his coat. I then left. I did not converse with any of these strangers.

E. G. MACY.

LAWRENCE, K. T., *April 28, 1856.*

T. E. LAHY called and sworn.

To Mr. Reeder :

I was one of the officers in the second district election on the 30th of March, 1855, after Mr. Burson and Mr. Ramsay left. I was appointed by the people on the ground. There were a crowd of people there. I was sworn by Mr. Ellison, one of the judges. I do not recollect that I signed an oath attested by Mr. Taylor. I signed an oath sworn to before Mr. Ellison. I did not swear before Mr. Taylor. I was not there, as I remember, when the others took the oaths. I was one of the judges of election. I saw the oaths, but do not recollect that they were attested by Mr. Taylor. He was one of the clerks while I was serving. After the election I took charge of the duplicate papers not sent to the governor's office. They were afterwards put in Mr. Waful's hands, one of the judges. I kept the books until the legislature convened at Pawnee, of which I think Mr. Waful was one of the clerks. Mr. Waful took them up there then, and brought them back some five or six months ago. I have not these papers now. They have been lost, destroyed, or something, while I was from home—some time last November or the first of December. We had no way of keeping them very safely; and the children told me that the box was open, and they did not know what the papers were, and they got scattered around amongst the books, and we lost a part of them then. Afterwards I found some and put them away, but am not able now to find them. I have not been living where the books were for some three months. One of the lists of voters—or one of the sheets, for there were two of them—was one of the papers I found and put away. I put it away in some books I had. It was my father's house, and I left him and his family in it. I saw the paper last some time last winter, in January and February, in the place where I had put it. I put it back again in one of the books, in the same case, and I have not seen it since. I made thorough search for it a few days ago, and again to-day. I could not find it. I do not know what became of it, for certain. My father has been accustomed to take sheets of paper from the book-case, that my brothers had been scribbling on, to wipe his razor on; and he may have taken that, as it did not seem to be of much importance. I asked my father about it, and he was not certain what had become of it, though he thought it likely he had done something of the kind, as he thought he recollected something about it. Sherman J. Waful acted as one of the judges of the

election, and he acted as the return judge of that election. I do not know that George W. Withers, of Richfield, Missouri, acted as return judge under the assumed name of Sherman J. Waful. I do not know that George W. Withers brought these returns to Governor Reeder's office.

I know that Mr. Waful started with the books, hiring a horse upon the grounds. I started with him, and went a part of the way—for four and a half or five miles. I do not know George W. Withers. I left Mr. Waful at Allen McGee's house, and when I left he was making preparations to go on, as it was late. That was on the evening of the election.

T. E. LAHY.

LAWRENCE, K. T., *April 29, 1856.*

HAMMOND C. MUZZY called and sworn..

To Mr. Reeder :

I was at the election of the 30th March, 1855, in the second district. I saw a great crowd of people, and a great many wagons, when I first went there. I tried to get to the window to vote, and got there just as Mr. Mace did. He was just before me, and when he offered his vote some of the pro-slavery party said that it was a free-State vote, and told him he should not vote it. Several men took him by the collar, and undertook to drag him away from the windows, and, as I was by his side, they crowded me away with him. Some called out, "Cut his throat!" "Tear his damned heart out!" I saw one fellow draw a knife and present it to his side, as though he was going to stab him. They finally left him without doing him any injury. After that, I saw some men with a lever trying to pry up the corner of the cabin. The leader of the party hallooed out to them not to do that till they had orders. Soon after that, I saw Mr. Ellison come out of the cabin with the ballot-box in his hand, and he hallooed "Hurrah for Missouri!" Mr. Ellison was one of the judges. I heard Mr. Jones (now sheriff Jones) give Mr. Burson and Mr. Ramsay, the free-State judges, five minutes to resign in or die. After that, he gave them one more minute to resign in. The judges left, as has been stated by others. I was on the ground a little while after the other judges were appointed, and the crowd then voted. I did not see any free-State man vote after that, and but three or four at any time. I do not know whether sheriff Jones voted there or not that day.

HAMMOND C. MUZZY.

LAWRENCE, K. T., *April 29, 1856.*

GEORGE W. UMBERGER called and sworn.

To Mr. Reeder :

I came into the Territory about the 24th or 25th of March, 1855. I emigrated from Ohio, and wintered in Iowa. I settled in the neighborhood of Bloomington, in the second district, and have resided there ever since. I was at the election of the 30th of March, 1855, in the morning, probably for a half or three-quarters of an hour ; then went away, and came back near noon. I started to go back to the polls, and, seeing the judges coming away, I went to Mr. Ramsay's house, where the judges came. I went into his house. There appeared to be considerable excitement among the judges and the clerks, and the few others who were there. I was there but a few minutes, when Mr. Burson handed me the poll-books and told me to take care of them. We started out ; I went towards home ; he went part of the way with me, when he turned off from me down on the bottom. I continued towards home, and was overtaken by eight or ten horsemen. I was surrounded by them, and the poll-books forced away from me. I did not know any of the party at that time, but I have known one since then. His name was Jones—now sheriff Jones—and the only one of the party I ever knew. I think Jones acted as the leader of the party. After they got the poll-books, they wanted me to go back. I told them my folks were sick, and I did not care about going back, and should not vote if I did.

Finally, they said I must go. One man came up, swore a few oaths, and tried to get hold of my collar ; I supposed to choke me. I thrust his hand away, and told him to take care of himself. He finally agreed if I would go along, I would not be hurt. I got on the horse behind Mr. Jones, and went over to Mr. Ramsay's. They wanted Judge Wakefield there. The judge refused to go at first. They finally told him, as they had told me, that if he would go along he would not be harmed. We both went over. On the road going over, a man came running out of the house where the polls were held, and said he would cut my throat if I did not take care. They took me to the window, gave me a pro-slavery ticket, and wanted me to vote. I refused voting that ticket. They handed me another, and I refused to vote that either. I left shortly after that. They threatened Burson's life. They wanted to get hold of him ; they supposed I was Burson ; they threatened his life if they got him. They took Judge Wakefield to the polls. He got up on a wagon and made a speech to them. Shortly after I left, he came over where I was. As far as I know now—I was not much acquainted at the time—I should think there were a great many more people when I went back to the polls than there were voters in the district. As I was coming up the second time in the morning, I saw a great many going home, who said they saw there would not be a fair chance there, and they did not care about remaining.

Cross-examined by Mr. Woodson :

I had been in the district but four or five days, and was a stranger to the residents of the district generally.

G. W. UMBERGER.

LAWRENCE, K. T., *April* 29, 1856.

WILLIAM JESSEE called and sworn.

To Mr. Reeder :

I came into the Territory for the first time about the middle of December, 1854. I came to St. Joseph about the middle of November, 1854, and left my family there, and came over to look at the Territory. I came from McLean county, Illinois, and settled on the Wakarusa, in the second district, a mile and a half from Bloomington, on the last day of January. I came there with a part of my plunder and my oldest son. In about two weeks I went after my family. I moved them there on the 28th day of February, 1855. I was at the election of the 30th of March, 1855. A day or two before the election one of the judges chose me for one of the clerks. On the morning of the election I started very early to go to the polls, and, after I had started a few minutes, I saw a wagon coming with a flag on the hind end of it. It passed me before I got to the polls. I was not out of the house much before the polls were opened, but went in to help them to prepare the poll-books for the election. I saw a great many persons going backwards and forwards before the door and windows. The polls were opened and they commenced voting. Some persons came forward and voted. Others came, and their votes were objected to until they were proved to be actual settlers of the Territory. Some were qualified, and others were proved, by men who were by, that they were settlers. It went on in that way until there were about thirty-three votes taken, if I recollect right, when one man offered his vote, and the judges would not receive it unless he would be qualified, or prove he was a citizen. He refused to do so. Others cried out and swore that he should not be sworn, but that he should vote without. He still continued to insist on voting, and the judges would not receive his vote. They then swore he should vote without swearing. During this time others came up to the window to vote, and were pulled away, and not allowed to vote. There were, I should think, a dozen pistols cocked and pointed to the judges at the window, and they swore they would blow their brains out if they did not receive those votes or resign. I did not count the number of times these pistols were presented, but I should think it was from eight to a dozen times. They insisted those men should vote without being sworn. They said they had come there to vote, and they would vote. One of the judges (Mr. Ellison) then told the other two not to take any votes until he came back. He stepped out for a few minutes, and then returned. He proposed to close the polls, and said that in less than five minutes the house would be thrown down and five hundred shots

thrown in the window. I felt the house jar with the pries, but I did not see them. Mr. Ellison and Mr. Ramsay tried to gather up the ballot-box, but Mr. Ellison took it away. I think the door was broken open about the same time; when Mr. Ellison ran out with the ballot-box and halloed "Hurrah for Missouri!" At the same time I took up the poll-books, doubled them up, and handed them to Esquire Burson. The house was filling up at the time, and I went out and walked around through the crowd. In a few minutes a man came out holding up some papers in his hand, which caused a great hurrah. I then made my way through the crowd as near as I could to this man, to ascertain what were the papers he had. When I got close enough, I discovered it was a piece of blank paper that had been blotted in making out the poll-book, and a certificate that there had been a mistake made. I then hunted around for Esquire Burson and Mr. Ramsay. I came across a man who told me they had but five minutes—or one minute, I do not recollect which—to live if they did not resign their posts as judges of election. I asked him why he did not go in? He said he could not get in. I told him I was going in or would die, and he said he would follow me. They were crowded before the door, and I had to pull my way considerably. Nothing was said to me until I got to the door. They asked me what I wanted, and I said I wanted to get into the house to see Esquire Burson. They then let me in. There was one man in there standing with a watch in his hand. I did not know his name at that time, but found it out shortly afterwards. I then went to Mr. Burson and told him he had better leave the house. He said he hated to leave his own house. I told him that, under the circumstances, I thought he had better leave, and he consented to it and went out. Mr. Ramsay followed, and I went out after them. We all three walked off down over the hill, some two or three hundred yards from the house. There were probably fifteen of us. After that we went to Mr. Ramsay's house. I asked Mr. Burson where the poll-books were? He answered he had got them, but I found them in his pocket afterwards. He handed them to Mr. Umberger. About that time there was a yell raised near the house, and men coming on horses as hard as they could tear. Mr. Burson and Mr. Umberger started off. These men asked if these poll-books were there, and we told them they were not. They swore they believed they were, and we told them they were welcome to try it. They then went off after the others, and shortly returned and said they had found them. They abused us most wretchedly, calling us almost everything they could think of. Mr. Jones (now the sheriff) had Mr. Umberger behind him.

About that time there was another yell, and some fifteen or more came after Judge Wakefield, they said. They demanded that he should go, and he refused, asking what they wanted, and he would not tell them. Finally, three men agreed, if he would go, they would give their security that he should not be hurt, and they gave their names. Sheriff Jones was one of them; the others I do not recollect. He went with them, and they passed off. The inquiry and search was still for Esquire Burson. I went and found him, and we went off, and it was near evening before I returned to the polls.

When I got back the bigger part of the company had left—a few of them were still voting. I remained there half an hour, and then went off again.

The man who was holding the watch in the election house I recognised afterwards as the one who gave his name as Jones, the present sheriff, in Mr. Ramsay's house. What I saw of those persons, went off east by my house. I was home part of the time, and saw a number of horses and wagons pass. I supposed there were near 400 strangers in the district then, so far as I knew. I have not seen them in the district since. As far as I saw, they were pretty well armed with revolvers and bowie-knives. Some of them had two pistols in a belt around them, and a bowie-knife or two. I do not know whether any settlers of the district voted after this difficulty about the judges took place.

WILLIAM JESSEE.

LAWRENCE, K. T., *April* 30, 1856.

SAMUEL JONES called and sworn.

I came into the Territory the last day of October, 1854. I went into the district where I am living now the 2d day of November, 1854. I came from Westport, Missouri, where I had been living for more than two years. I settled in the second district. I was at the election of the 30th of March, 1855. I saw a good many of the people I was acquainted with in Missouri. Some of them told me they had moved into the Territory, and others that they had claims, but had not moved into the Territory; and others told me that they intended to come; and one of them that he did not intend to reside here. I heard these men threaten that if the judges did not resign, they would be killed. Samuel J. Jones (now sheriff) was one who made this threat; a young man they called Dr. Johnson, who they said was from Independence, was another; and others, whose names I do not know, made other threats also. I saw them fix a pry to the corner of the house to pry it down; and some of them told them there was a pro-slavery man in the house, and they took the pry away, and went to the door of the house. Just then the door was opened, I think from inside, and Mr. Ellison came out with the ballot-box in his hand, at which there was a general shout. I do not recollect what Mr. Ellison said. I was in camp with these men afterwards. I started that night to take a protest to Governor Reeder against the election. On the crossing of the Wakarusa there was an encampment nearly half a mile long, and, without stopping there, I found other camps on almost every creek as I went along. I found another camp in the morning, where I stopped and took breakfast. They told me they were from Clay county, Missouri, and they thought there were as many as six hundred from Missouri at Lawrence, where they said they had been at the election. I asked them if they had claims in the Territory, and they said no; that they only came to vote. I passed on, and rode several miles with some men from Lafayette county, who told me that

they had claims in the Delaware country, but had not moved on there. They said a good many had come to the election from their neighborhood. About the time I got to the Shawnee Mission I saw a good many going towards Missouri whom I had seen at Bloomington the day before. On my way back I found the road full. As long as I kept in the road I had frequent conversations with them. They said they thought there had been from two thousand to eight thousand Missourians in the Territory to the election.

SAMUEL JONES.

LAWRENCE, K. T., *May 8, 1856.*

JOHN A. WAKEFIELD called and sworn.

I came into the Territory in July, 1854, from Iowa, and settled in the second district, and have resided there ever since. I was at the election of the 30th of March, 1855, at Bloomington, in the second election district. There were a number of men who staid at my house the night before the election—some fifteen or twenty in number. We all went over to Bloomington together the morning of the election. When we got there we saw a large body of non-residents of the district. They continued to come between one and two hours after we got there, in wagons and on horseback; they were all armed with revolvers, guns, &c.; they had tents and wagons. I was called upon by the judges to assist in filling up the poll-books. This gave offence to the Missourians, and they cried out, "Get Wakefield out of there; he has no business in there." The door was in the south side of the house, the window where the votes were received in the north side, and the table where the judges sat fronting that window. After the poll-books were filled up I went to the north window to see if the judges would take the oath prescribed by the governor. They all took that oath. Paris Ellison, Harrison Burson, and Nathaniel Ramsay were the judges. After they were sworn they opened the polls. The actual settlers then commenced voting. A few of their votes were given in, and then the Missourians crowded in and surrounded the house, and demanded to vote. Esquire Burson told the first one that he did not know he was a citizen of the Territory, and he would have to swear to or from his citizenship before he would be allowed to vote. This the person refused to do. By this time there was a great excitement, a loud din of voices, and many threats against the judges. They cried out, "Get Wakefield away from the window; he has no business there." They then pushed and shoved me to the outside of the crowd. A man by the name of G. W. Ward came to me and said, "Judge Wakefield, if you have any influence over those judges, you go and tell them to let the men vote." I told him I never advised men to do wrong. A man then, that I have since understood was named Jackson, got on to a small log, and made a very inflammatory speech. He told them to divide themselves off into companies, and tie a white ribbon in the button-holes of their coats, that they might know their party from the abolitionists; and said that was the way

they had once done in California. The excitement by this time was very great, and they were threatening to kill two of the judges, Burson and Ramsay. At this time I saw a number of men with a large piece of timber to pry the house over, and also a piece of short timber for a fulcrum; and another company came with a piece of short timber to batter the door down. But before they attempted to batter down the door, Parris Ellison, one of the judges of the election, opened the door from the inside, ran out with the ballot-box in his hand, hallooing out "Hurrah for Missouri!" He immediately returned to the house, and as he did so the mob rushed in to get at Burson and Ramsay. In a few minutes Burson and Ramsay came out where I was, and asked me what we should do. I told them that we would go down to Mr. Ramsay's house—about three hundred yards off—and I would draw up a statement of the facts, and send it off immediately to the governor. Sheriff Jones (Samuel J. Jones), at the head of a party of men, immediately followed, and commanded Burson to go back. I said, "Let us walk along, and not notice him." We went to Mr. Ramsay's, and all the citizens who had not left, about twenty in number, signed a petition to the governor to set aside the election. Just as we were finishing some of them cried out, "Yonder comes the mob." I looked, and saw Jones at the head of a large number mounted on horses. They rode up to the door and halted, and demanded of Burson that they wanted the poll-books. As Burson had just left, some one replied that he was not there. One man cried out that there was a man going over the ridge, and that he had the poll-books. They wheeled their horses, and followed the man at full speed. They caught the man, whose name was Umberger, searched him, and found the poll-books upon him. They then took him prisoner, and brought him back behind one of them—I think it was Jones. As they came they cried out, "Take Wakefield, dead or alive—damn him, take him!" I then ran into the house, and told Mr. Ramsay to give me his double-barreled shot-gun, he having taken it down and cocked both barrels when the mob first came to the house. The mob rode up, and I should think a dozen or more presented their pistols to me. I drew up the gun at Jones, the leader. We stood that way perhaps for a minute. A man professing to be my friend undertook to take the gun from me, saying, "If you shoot we will all be killed; we can't fight this army." My reply was, to stand off, or I would shoot him, which he did. Then one of my friends spoke in a very calm manner, and said, "Judge, you had better surrender; we cannot fight this army without arms." I then said I must know the conditions, and remarked to the mob, "Gentlemen, what do you want with me?" Some one said, "We want you to go back to the polls, and state whether it was not you that persuaded the judges to take away the poll-books." I said I could easily do that, as I could not get in hearing of the judges; but if I could have got in their hearing, I should have done it. "But," said I, "if I go back, what security have I that I will not be mobbed or maltreated on the way?" Some two or three of them spoke, and said they would go my security; that I should not be hurt. I said I would go, but go alone. I went back with them, and got up in a wagon and made them a short speech,

stating to them that I had been an old soldier, and had fought through two wars for the rights of my country; and I thought I had a privilege there that day. I then went on to state that they were in the wrong; that we were not the abolitionists they represented us to be, but were free-State men, and that they were abusing us unjustly, and that their acts were contrary to the organic law of the constitution of the United States. A man cried out while I was speaking, several times, "Shoot him! he is too saucy." I then made an effort to those who gave their security that I should not be hurt. When I got done speaking, and got off the wagon, a man came up to me and told me he wanted to tie a white ribbon in my button-hole, or the boys would kill me. I first refused, but he insisted, and I let him do it; and then I turned round and cut it out with my knife. I then made an attempt to leave, and they cried out, "Stay with us and vote; we don't want you to leave." I thanked them, and told them they could have it to themselves then, and I should leave them. I then left them. I should think this was between eleven and twelve o'clock. The citizens had gone, generally, before that, and there were not a dozen of them on the ground; and those that were left there went home; and I did also. I was a candidate at that election for the Council. I drew up a statement of those facts, as I have before stated. It was signed by a number of citizens—some twenty or thirty—and sent to the governor, petitioning him to set aside the election. He found some informality in it, sent the man back, and a second petition was sent to him; and then the governor declared the election null and void, and ordered a new election to take place on the 22d of the May following. That election took place at the time appointed. There were no foreign votes at that election. The citizens assembled elected myself to the Council; William Jesse and Augustus Wattles to the House of Representatives. We appeared at Pawnee on the 2d of July, were sworn, and took our seats as members of the legislature then and there convened. When the Committee on Elections was appointed by the president of the Council, I offered a resolution, which was adopted, calling upon the governor for the evidence of the election of the 30th of March. The governor furnished the affidavits of the facts, &c. The chairman of the Committee on Elections (Colonel Coffee) called upon me to know what plea I had to make; I pointed out to him on the poll-book the names of the Missourians who had voted, and asked him if he did not know some of them. He made very light of my remarks, and thought it would avail me nothing. He made a long and elaborate report, to the effect that one Andrew McDonald was entitled to the seat in the Council. After the report was made, and before the vote was taken upon it, I made a speech to the Council, in which I went into the history of the evidence of the way McDonald was elected, and stated to them that the people of New York, Georgia, or any other State, had as good a right to vote in this Territory as the people of Missouri; and said that McDonald was elected by foreign votes. I told them that the day I was there speaking (on the 4th of July) was a memorable day, and might become more so; that their actions there might be the means of lighting the watch-fires of war in our land. I stated

that I did not wish to stay with them, as they might meet me, and give but a cold shake of the hand while the heart was not there. I then remarked that I knew they would turn me out—that that would be the result of their vote, and I knew it then. The vote was then taken, and it was unanimous, with the exception of Chapman, to turn me out, and give McDonald the seat.

JOHN A. WAKEFIELD.

LAWRENCE, K. T., *May 10, 1856.*

GEO. W. WARD called and sworn.

To Mr. King:

I reside on what is called the Wakarusa creek, within a mile of Bloomington, in the second district, and have resided there since November, 1854. I was one of the representatives elected from that district at the election of the 30th of March, 1855. I attended the election at Bloomington on that day. The judges that the governor appointed met in the morning and were qualified. Two of them, Mr. Harrison Burson and Mr. Ramsay, had their friends who had arms with them, and put their arms in the corner of the room and fastened the door. I saw no demonstrations outside which warranted such a proceeding on their part. When they got ready to commence the balloting, we were told that we were to vote through the window. Judge Wakefield and some other free-State men took possession of the window, and it was with some difficulty we could get there. When we did get up, we were required to be qualified without any discrimination. It was the pro-slavery men, chiefly, that were required to be sworn. I saw no free-State men sworn, or required to be sworn. They required men to be sworn whom they knew to be residents. That created excitement. It was continued so for an hour or more, until some thirty-odd votes were polled. The bystanders then insisted that both parties should be sworn or neither be sworn, or that the two judges, Burson and Ramsay, should resign. There were some threats. They took a recess of half an hour to determine if they would resign. At the end of the half hour they were called and did not appear. The crowd gave them two minutes more; they were then called, and another short period was given them; and they were called the third time and did not appear. Then Mr. Ellison named two judges, who were sanctioned by the crowd, and they appeared and acted as judges. The expressions of dissatisfaction were by the residents of the Territory. There were some strangers there who claimed to be residents. But those I knew to be residents expressed this dissatisfaction. I saw no demonstrations from any quarter of the pro-slavery party to intimidate the free-State men from voting, but, on the contrary, the free-State men were invited by the new judges and others to come up and vote. I know I invited twenty free-State men to come up and vote.

Our district settled up very fast between the taking the census and the day of election—as much so, if not more, than at any other time previous; and I do not think the number of voters were less than a

hundred in that increase. It was always my impression, from canvassing the district, that I would be able to be elected easily. I do not think the free-State men were satisfied with their candidates, and I know very well that there were free-State men who voted for me. I do not think, from all I could learn, that it was possible for the result to have been changed by any illegal votes that may have been given there that day. Mr. Brown and myself, the pro-slavery candidates, ran pretty close together, within one or two votes.

Cross-examined by Mr. Sherman :

I reside now where I did at the time of that election. I do not know of any illegal votes polled that day. The persons who were there all claimed to be residents, and I took them to be such, though some of them were strangers to me. My opinions and conclusions are all founded upon the idea that all who were there were residents. I do not recollect that any who were strangers to me were sworn, or that those strangers voted at all.

There was a pry put under the corner of the house at one time, but I regarded it as mere fun, and not with any intention to tear down the house. I saw sheriff Jones there that day ; I was not in the house, and did not see him hold any pistol at the breast of Burson, or know that it was done. I have seen Jones in the post office at this place, (Westport, Missouri.) I do not know that he was ever postmaster here ; I have heard so, but my impression was that Colonel Boone was postmaster here.

A portion of the free-State men were asked to vote, and refused to vote ; the others said they would be in after a while, but I do not know whether they voted at all.

After the new judges were elected, I do not recollect of seeing any one sworn. I have never examined the poll-books, and cannot say from any examination of them whether all who voted were residents or not : I considered a man who came into the district and made a claim in good faith to be a resident, whether his family was there or not ; all I knew there I considered to be residents.

I saw no camp of men there. I do not know Colonel Claiborne F. Jackson ; I saw a man there they called Jackson, but do not know whether it was Colonel Jackson or not. I did not hear him make a speech ; I heard Judge Wakefield's speech, as he stood in the wagon, after he was brought back ; I do not know who brought him back.

That was a peaceable, quiet election, with the exception of the interruption before the new judges were elected. I saw no arms but one double-barreled shot-gun, except those stacked in the house. I saw no arms in the hands of these strangers ; if they had any, I did not see them. I saw none used, and none were threatened to be used, that I heard of.

To Mr. King :

A portion of those who were prying up the corner of the house were residents, and the others claimed to be. A great many of those I did not know then, I have found out since to be residents of the district. Sheriff Jones was up there previous to that time, and I know that he

had a claim there; a man by the name of Smith claimed it, and has possession of it yet. Mr. Jones was backward and forward there from the time of making that claim till he went to Lecompton to live.

To Mr. Sherman :

Mr. Jones's family have always resided here in this place till lately, and I do not know but they live here now. Mr. Jones was in about Colonel Brown's store and the post office here until he was appointed sheriff.

To Mr. King :

We recognised him as a citizen of the Territory in our district. My understanding was that Smith jumped the claim which Jones had.

GEORGE W. WARD.

WESTPORT, Mo., June 9, 1856.

THIRD DISTRICT.—*Tecumseh.*

Rev. H. B. BURGESS called and sworn.

To Mr. Reeder :

I came into the Territory in October, 1854, about the middle of the month. I came to Lawrence first, and came to this district the December following, and have resided in this district ever since. I came from Conneaut, Ohio, here. I was appointed one of the judges of the election, the 30th of March, 1855, and attended that election during a part of the day. I arrived here about eight o'clock in the morning. At that time the other two judges had not arrived. I saw in the yard, about the window of the room to be occupied by the judges of election, what I should think was a congregation of at least 300 men; and, from my knowledge of the district, and from their appearance, I understood them to be in the main non-residents of the district, there being but few persons of that company with whom I was acquainted. I went into the judge's room and found a gentleman there, who afterwards informed me he lived in Independence, Missonri, preparing the poll-books and tally-list.

[Mr. R. R. Reese, counsel for J. W. Whitfield, objects to this as hearsay evidence; a majority of the committee overrules the objection; Mr. Oliver dissenting.]

I soon went out of the door, not finding the other judges in the room, to look for them. As they came into the yard, they were met by a couple of gentlemen with whom I was acquainted, and stepped aside into an unoccupied portion of the yard, and some three or four gentlemen detained them in conversation some moments. During this conversation I stepped up to them and introduced myself. I heard a few remarks—but few—of the conversation, and one of the remarks from one of the judges was, "We understand it." One of the gentlemen—I do not know whether it was the other judge or one of the company there—said, "The thing is perfectly understood." We

very soon went into the house, and the proprietor of the house stated to those there that it was the time for the commencement of the election, and requested gentlemen to vacate the room for the judges, as it was set apart for their express use. There was something like an attempt to clear the room, and, after turning out some of my friends, I think the outside door was then locked. The inside door, opening into another room, remained so that it could be passed, and the room remained as full as before. The first business of the board of judges was, one of them proposed, I think Mr. Watts, that the first business was to elect a couple of clerks, and for that purpose they had brought a couple of friends with them. To this I dissented.

To Mr. Oliver :

I cannot give the names of these friends.

Direct examination continued :

My ground of objection was, that the proclamation had given us no such liberty ; had made no provision for clerkship outside of the board of judges. This objection I stated. One of the judges, after some discussion, proposed to discuss more important matters, before we could organize.

To Mr. Oliver :

I think the judge was Mr. Watts.

Direct examination continued :

That matter of importance was the taking of the oath prescribed in the proclamation. Both Mr. Watts and Mr. Stateler claimed that the governor had transcended his authority in prescribing that oath, as he had no right to interpret the organic act in regard to citizenship, as the judges claimed that any man in the Territory, no matter how short or how long a time he had been in the Territory, was a resident, and entitled to vote ; that they had as good a right to interpret the organic act as the governor, and they refused either to take or administer the oath prescribed. There was then considerable discussion, and some unpleasant feeling.

During this discussion the room was pretty thoroughly filled, and a large crowd outside clamorous that the election should commence. I sat near the window, and frequently heard the remarks : " The damned Yankee "—" the God damned Yankee "—" the blue-bellied Yankee should never come out there alive "—" put a knife in him "—" shoot him, damn him, shoot him," repeatedly ; which expressions I understood applied to me, and my course there. The term " abolitionist " was frequently applied to me. During this time the proprietor of the house, Mr. Stinson—Thomas Stinson, I think—came into the room from the inside door, in apparent rage ; stepped very quick ; had a very heavy hickory cane, with a grub-butt, which he raised over his head I think with both hands. His first remark to me was, as near as I can repeat it, " You God damned blue-bellied Yankee abolitionist, you said that any man who would marry an Indian was a damned sight meaner than if he had married a nigger, and,

God damn you, I will smash your brains out." I arose and spoke to him kindly. I had an overcoat on, buttoned up, and I put my hand into my pocket. I told him I hoped he would be reasonable; that I was not aware that I had trespassed on any of his feelings, or his rights; that I came there as a citizen, and claimed the right of a citizen upon a public day, and was in his house as a judge of election, and I claimed the protection of the other judges and the company. He receded a pace or two and lowered his club, and ordered me out of his house, and I told him I would go. I spoke to the other judges, and asked them to what place we would adjourn, as it seemed that it was impossible to hold the election there. They seemed inclined to say very little about it, and, considering the matter an urgent one, I declared the election adjourned and stated that I should leave, and began packing up my things to be off. I went to the outside door I had come in at, and found I could not get out. It appeared to be locked, and the key was not there. I started to pass out the other door, the inside door, and this gentleman that I before spoke of, who told me he was from Independence—I do not recollect the name—desired me not to go, and had a few words with the other judges, and the amount of it was that "it was rather an awkward position." I adhered to my determination. He said that they would see Mr. Stinson, and have the matter adjusted. About this time some gentleman I did not know came in and remarked it was all right with Mr. Stinson. I was still unsatisfied, and he proposed to go and see him himself, and very soon returned and said he had seen Mr. Stinson, and Mr. Stinson said I could remain until after the election, and he would settle with me then; upon which I resumed my seat.

After we had continued our attempt at an organization for, I should think, about two hours, the people outside became very impatient. The reason why we had not organized was because I would submit to nothing less than the oath prescribed by the governor, which the other judges would not accept, and refused to administer it to me. A suggestion was made by this gentleman from Missouri that we should make a compromise, as they were the majority, and agreed upon their plan of proceedings; I being in a minority, would be obliged to submit to their proceeding, to which I was very ready to yield. Mr. Watts suggested that there might be trouble in that, and asked if I would send in a report offering it to the governor, and I think the other judge asked if I would sign the returns if they proceeded in that way. I said I would if they would allow me to send up with the returns a statement of the facts. This they would not accept, and proposed that we should resign, and allow the people there to elect judges to suit themselves. To that I objected, because the highest officer in the Territory had appointed us to that office—the highest trust in the Territory—and refused to vacate my seat. About this time three gentlemen came in through the inside door, one of whom I had seen in the crowd outside, and wished to know why the election could not go on; to which very little reply was made—that being given by Mr. Watts, that they had not yet organized the board of judges. The reply to that was, that they had better be about it damned soon, or some such remark, and they retired. After about

from fifteen to twenty minutes another deputation of three came in, and said the boys were getting very uneasy. Their language was gentlemanly. They said that if the election could not go on, they would not be responsible for the consequences that might result from it. They then retired. In about ten minutes more, I should think, another deputation waited upon us, and the speaker then was a rough, uncouth man, in language and manner. He wanted to know what in hell was the matter that the election could not go on; and that we had better be getting out of there pretty damned soon, or we would catch hell. Mr. Watts replied to him, that there was no trouble except with one of them, looking and nodding towards me across the table. To which he replied, "if he knows what is good for himself, he will be getting out of here pretty God damn soon, or he would catch hell." I said to him, "the room was ordered to be cleared, and every friend of mine has been put out of the house, but the room has not been cleared a moment." And I demanded the room might be cleared for the sole possession of the judges, to see what they could do among themselves, as persons had interfered with their counsel to my great annoyance. He asked what time would do us, and I replied "give us ten minutes." I should have said, before this, that during the time of the conversation with the deputation before this, Mr. Watts, one of the judges, had become apparently very much excited, and had withdrawn. I proposed to fill up the vacancy. Mr. Stateler objected to his leaving us, and seemed very desirous for him to come back, and was unwilling to have another appointed in his place. When the last deputation came in, there were but two judges; but after they left, Mr. Watts resumed his seat, by invitation of Mr. Stateler. We soon found that there was no chance for argument, as neither would recede from the position he had taken. Mr. Stateler proposed that we should all retire, as we were all ministers, and the reputation of Christianity was at stake. I still persisted in not resigning. Very soon we heard cried, outside, "Five minutes left." I had heard prior to this, from the outside, "We have given them ten minutes, and then, damn them, we will put them out," and the reply, "Good! there are only ten minutes left them, damn them." I heard the remark, "Hang the damned abolitionist, damn him, hang him;" and then from others, "Hanging is too good for him." They sang out, "Three minutes left," and "Two minutes left." When the two minutes was sung out, Mr. Stateler rose and said, "I will not stay here any longer—I will not be responsible for the consequences." I said, "Do you believe, gentlemen, that there is danger to our persons by staying here?" Mr. Watts remarked, turning to me in an emphatic manner, "that he was afraid of no danger—that he was afraid of no violence." Mr. Stateler rose from his seat, holding on to it with one hand, and said, "I will not stay any longer;" to which I remarked, that I did not think it safe myself to stay. I was asked if I would resign, and I promptly said "No." Mr. Watts went to the window, and while he was rising said, "I will say we will resign." Mr. Stateler asked me if I would acquiesce in it, and I said again that I would not. He asked, "What shall we do; our time is out?" I said to Mr. Watts, who was ready to speak from the

window, say we will retire, and you may conduct the election as you are a mind to, which I had proposed to the judges before. My things were ready, and I left the room while he was speaking to the crowd from the window, and what he said I do not know. I know what he said was received with cheers and acclamations; and as I passed out around the crowd, they were nominating tellers for the new judges. The outside door was open as I came out. A great many were rushing into the room from the doors. During the ten minutes given us, the room had been cleared of all but the judges and the one gentleman from Independence. I have never seen this gentleman since, but think I should recognise him anywhere. The door was at the end of the house, and the windows at one side. I passed around the crowd, which was very dense around the window, and met with no resistance. I left the ground immediately.

I made it my business to know every man I came in connexion with, and was considerably acquainted in the district, and think there were but few men in the district I could not identify. When I left I did not take so minute a survey as when I came, but should think there were 100 more than when I came; that there were at least 400 persons on the ground when I left. I do not think I saw, to recognise them as citizens of the district once, 12 or 15 persons on the ground within the yard when I came away. None of the deputations that came into the room were, so far as I knew, citizens of the district.

Cross-examined by Mr. Rees :

Among the citizens I recognised, I remember D. H. Horne, Mr. (I think) Freeman Foster, a man by the name of Hickey, Mr. Stinson, Dr. Crogsdale, Mr. Vaughan, a merchant of this place, and a young man boarding with Mr. Stinson. I do not remember to have ever heard his name, but he was said to be from Kentucky. I cannot now recall another name but the two judges, Watts and Stateler.

Shortly after leaving the ground I met quite a number of citizens coming to the election. Philip Briggs, C. K. Holliday, a French Dr. Doms who lives in the valley below Topeka, a Mr. Stone, and Mr. Clarke, were among them; the others of which I do not now recollect.

To Mr. Reeder :

The greater part of those I met coming to the election turned back, but some came on.

To Mr. Rees :

Mr. Holliday turned back, but I do not now recollect any of the others.

Question. Was not the difficulty between you and Stinson a private affair, and did you not make use of the remarks Mr. Simpson alluded to when he approached you?

Answer. Mr. Stinson and I, at that time, were almost wholly unacquainted. I had called at his house at one time when he was sick, and we had had a few pleasant remarks. I had passed him a few times upon the road, and there had been nothing but a pleasant recognition between us, and, to my knowledge, there had never been the least

personal ill feeling between us—certainly none upon my part. As to the latter part of the interrogatory, I have no knowledge of making use of that or any similar language.

I am living upon a claim about two miles west of Topeka.

To Mr. Sherman :

I informed those I met coming to the election of what had occurred, and the greater part of them returned.

The witness here stated that he wished to say, concerning the question asked in relation to Mr. Stinson, that in a conversation some time prior to the election, with a gentleman, one or two others being present, the witness said he did not look upon it as proper for the separate races to intermarry. There was nothing referring to or intended to reflect upon Mr. Stinson, or any other person.

HENRY B. BURGESS.

TECUMSEH, K. T., *May 5, 1856.*

Rev. H. B. BURGESS recalled.

To Mr. Reeder :

I have examined the poll-list of the 30th of March, 1855, for this district. I find there the names of 16 residents, as follows :

W. A. Sublette, T. N. Simpson, D. W. Hunter, H. N. Watts, H. Cox, J. R. Wagsman, R. A. Edwards, E. A. Updegraph, Charles Alexander, A. P. Bigler, H. J. Shiekler, Dr. Crogsdale, Wm. Pickrel, W. A. M. Vaughan, John Horner, W. R. Boggs.

There are other names on this list I am familiar with, but not so familiar with them as to be positive about their given names. They are as follows: J. M. Cavanaugh, J. Strother, C. H. Buggand, J. Niccam, James Herrin, F. Grassmuck, R. H. Matthew. I suppose there were but very few men in the district at the time of the election I did not know to recognise them, and could tell where they resided. Some names I was familiar with, but did not know their christian names. I had been pretty much all over the district, and had been at different gatherings that brought the residents together. I know of legal voters being discouraged and deterred from voting on that day. I know that at Topeka, my residence at that time, we were informed by different persons, who were interested in the election.

[Mr. Rees objected to this testimony being received as to reports and rumors. Mr. Reeder offered to prove that it was reported at Topeka that there was a sufficient force here, or to be here, to control the elections, and to make all resistance useless, and residents remained away from the polls, and gave the above report as their reason for doing so. A majority of the committee decide that Mr. Reeder may prove the fact that there was such a report in Topeka, and that voters remained away, but not to prove the declarations of those remaining away. Mr. Oliver dissents to the report being given on the ground that it is but a rumor, and, therefore, incompetent evidence.]

There was a report in circulation, on the evening before the election

of 30th of March, in Topeka and vicinity, that there was already a force from Missouri, from Texas, and from other different southern States here, for the purpose of controlling the election here; and that if they had not already numbers enough to overpower us, they had in the Territory, and they would be distributed as necessity might call for. It was also reported there, that there was another body sent for from Lawrence, to come during the night or in the morning, and I am pretty confident that it was reported that this extra force would be 200 in number. Some of the residents of Topeka and vicinity came, but did not vote, or but few of them, as I find but few names on the poll-lists of those I know to be residents of Topeka and vicinity. Their names are Edwards, who lives about as near Tecumseh as Topeka; Charles Alexander, who lived three miles above us, at the Baptist mission; Wm. Pickerell and W. R. Baggs, who lives two miles from Topeka; and Dr. Crogsdale, who lived at the Baptist mission, a candidate and elected. The most of those, however, I met upon the road turned back.

To Mr. Rees:

All, save William Pickerell, who, I think, was at that time a free-State man—of which, however, I am not positive—of the names I have mentioned, were pro-slavery men. I stand now indicted by the grand jury of this county for perjury.

To Mr. Reeder:

I was indicted for telling the truth in regard to the election, in making an affidavit in a protest against the election setting forth the facts, and sent in to the executive of the Territory. I was not bound over before a justice of the peace. I suppose the first complaint was made before the grand jury; a warrant, I understood, was in the hands of a deputy marshal of this Territory for me, and before it was served I hitched up my team and came down here, as I had understood before this time a bill was found against me. I have never learned who my accuser was, nor upon what testimony the indictment was found. The indictment was found, as far as I can recollect, about a year ago, during the sitting of the court early last spring, and it is still pending.

To Mr. Sherman:

Those residents who did not vote were, as far as I know, free-State men. The following is a list of resident voters in the district, whose names I do not find on the poll-books of the election of the 30th of March, 1855, numbering sixty-eight.

Names of resident voters in the 3d election district who did vote on the 30th of March, 1855.

Mortamer Gilbert
Delmater Ferrill
James M. Herrin
Jehial Tyler

Reuben Low
Fred. Walman
Castopher Coplin
Tim. McIntire

J. C. Greenwood	W. C. Pickerell
Thos. G. Thornton	Jacob B. Chaise
Daniel H. Howe	Charles Farnsworth
Milton C. Dickey	C. O. Nicolas
M. C. Drinkwater	Claimore Shelter
A. A. Ward	Thos. D. Parkerson
W. A. Summerville	Wm. Goddard
James Lacking	Jerome W. Boles
L. T. Cooke	J. P. C. Bouche
Jas. R. Morhan	Hiram Dansin
W. F. Johnson	Charles H. Buzzard
John W. Brown	Wm. D. Owen
Alfred Bigler	F. A. Wentworth
Joseph West	Charles Matney
Eb. D. Stinson	John Taylin
Charles Jordan	Richard Cox
Osborn Nailor	T. J. Wells
J. M. Edwards	John Leroy
Peter Belanger	Jesse Newcum
Belford Gilbert	Mr. Covell
C. K. Holliday	Dr. Martin
Peter N. Main	Wm. Liniker
W. C. Lincker	John Doty
E. Chase	Mr. Foster
Edward S. Dexter	H. L. Rout
H. B. Burgess	Chas. V. Grey
John All	J. T. Case
Abel Hatwell	Daniel Turner
J. Teggart	A. P. Turner
S. A. Clark	W. H. Turner
Philip Briggs	

The political opinion of the above men is free-State, or Free-soilers.

HENRY B. BURGESS.

TECUMSEH, K. T., *May 6*, 1856.

CHARLES JORDAN called and sworn.

To Mr. Reeder:

I pitched my tent in this place on the 21st day of November, 1854. I am originally from Virginia; from that to Kentucky, then to Indiana, Illinois, Missouri, and to Kansas. I have lived here ever since November, 1854, within a mile and a quarter of this place. I rented a house in Clay county, put my family in it for two weeks, and came on here to look at the Territory, and then went back for my family. I was at the election of the 30th of March, 1855. In the morning, between nine and ten o'clock, I arrived at Mr. Stinson's, where the election was held. Three others were in my company, and as we were getting over the stile four young men, all armed, approached us.

The front one accosted me as I stepped over the fence about in this language: "You are well; how am I, God damn you," or "by God," I am not certain which. As regards the positions of his arms, there was a pistol revolver shoved down in his boot, a bowie-knife by his side, and a large club in his hand. I passed him without heeding or noticing him. My son-in-law, that was just behind, replied in some way to him, but there was nothing of importance occurred. I went to the west side of the house, where was the window to receive the votes. There was a throng, perhaps six or eight persons deep, surrounding the window. I heard a man speak, urging those in the house to open the polls, and swore that if it was not done in ten minutes they would force the polls and elect their own judges, as the time fixed by the governor to open the polls had passed. I returned just about that time to the south door, and about that time Mr. Watts, one of the judges appointed by the governor, came out and informed me that he had resigned, as he thought it was unsuited to his calling; and also, that he thought the instructions of the governor conflicted with the law, which the judges had and could construe for themselves; as that was the case, he had resigned. About that time, when I supposed not more than ten minutes had expired, a tall spare man came out and proclaimed that the judges had resigned, and they were ready to elect new judges within by voting or tellers. He nominated Horatio Cox, John Homer, and Mr. Small. I do not know his first name. That being done, they went into the house, and it was proclaimed at the door that the polls were now open and ready for the receiving of votes. There was considerable rush to the polls and a hunt for tickets. There was one man in the yard who had a ticket; and as it seemed he could not read, he inquired what kind of a ticket it was, and some one said it was a free-State ticket, which he seemed to doubt; I looked at it and saw it was not our ticket, and I had some tickets with our platform at the head of them. Seeing the platform, it drew a considerable of a crowd about me; they were strangers to me, and all solicited tickets for the purpose of getting the platforms, and I handed out a considerable number of them, which some of them made no objection to. The flag was floating over us just about where we were standing. I told them I had defended my country; that that was our true flag, the stars and stripes, and under that flag I never intend to vote while it floats over a seditions mob. Just about that time Mr. Hearin, a neighbor of mine, a pro-slavery man, came into the crowd and addressed himself to them, saying I was a neighbor gentleman and a good citizen, and he wished to speak to me. He advised me not to do anything in the matter, and that I was in serious danger, as he knew. I said there was no chance for justice, and we parted, and I started to go back to the place of voting. There was a gentleman they called "Texas" ascended the stile and proclaimed that they wanted everybody to come forward and vote; that it was everybody's privilege to vote, and he wanted both parties to come and have the thing fairly tested. He concluded with instructions to the pro-slavery party. He told them when they voted not to leave the ground, but to stay there till the polls were closed, or the abolitionists would flock in, overpower them, and they

would lose all their trouble. He said he had come further, perhaps, than the rest, and had undergone more than the rest, as he had been four and a half days on the road. I never learned where he came from. I then advised my party to leave, which we did, I think, pretty generally. I then came home.

I should suppose there were 200, and perhaps more, when I was here; they were pretty thickly scattered over the yard, and in groups about. I had attended some meetings for nominations, but beyond that I was not much acquainted in the district. I did not know but few in this crowd. I saw perhaps twenty or thirty there I knew, or had formed some acquaintance with. I saw the camps the day before north and east of Stinson's; passed by them, but did not speak to any in there. The man who made proclamation, and the one who first accosted me, and the man who took the vote for judges, were all strangers. I did not vote because I saw we were entirely overpowered by the numbers from abroad. I was a free-State man. I saw we had to be perfectly silent on all political matters, or we would get into difficulty. When I referred to the flag, an old gentleman asked me if I had seen any violence; I said I had not, but had seen some menacing, with insults added to injury, and would not vote. I do not remember positively who were the free-State candidates. I do not know that I am acquainted with the popular feeling of the district, but I have no hesitation in saying that there was a considerable majority of free-State men.

Cross-examined by Mr. Rees:

I saw no violence offered to any man who attempted to vote, and I saw no man deterred from voting by violence.

To Mr. Howard:

The free-State party are divided between what are called free-State men and abolitionists. There are pro-slavery men, free-State men, and abolitionists here.

To Mr. Oliver:

Judging from the vote on the constitution, I should judge there were four free-State men to one abolitionist.

CHARLES JORDAN.

TECUMSEH, K. T., *May 6, 1856.*

M. J. MITCHELL called and sworn.

To Mr. Reeder:

I came into the Territory the last of October or first of November, 1854, and I have lived in this district ever since. I was not at the election of the 30th of March, 1855, but was then in Missouri. I came from Liberty, Clay county, Missouri, to this place, and from Campbell county, Kentucky, to Missouri, and had lived in Clay county nearly two years. I have examined the poll-list of the 30th of March,

1855, for this district, and find plenty of residents of Clay county upon that list, as follows:

O. F. Dougherty, R. Jones, G. W. Withers, G. W. Hall, L. Bennett, George Ruckle, S. Tillory, Emmet Allen, G. L. Withers, Garret Long, F. Bevaus, H. S. Keller, W. Riley, A. M. B. Hughes, J. P. Bird, C. Duncan, H. S. Runt, J. Estes, B. F. Wallace, J. C. Coons, A. J. Kelly, C. S. Starks, Jas. G. Adkins, A. H. Cravens, and J. Wallace. There are more names than of persons from Clay county that I am familiar with, but I cannot give their given names. George W. Withers is a lawyer, and edits the "Richfield Enterprise" newspaper, and George L. Withers is a lawyer. The George W. Withers I refer to is a tall man, and lives in Richfield, and I think he is a lawyer, having heard him attend to a small case on Fishing river, Clay county, before a justice.

Cross-examined by Mr. Rees:

I think I can give a majority of the names of those who are residents in this district. I heard some of those whose names I have given as Clay county men when I was in Missouri, and who were making preparations to arrive here, say that they were coming here to vote, and they inquired how many it would take to beat the abolitionists.

To Mr. Reeder:

The following are the names of the residents of this district at that time on the lists, which I find after an examination of the poll-lists of this district for the 30th of March, 1855:

J. N. Cavenaugh, W. A. Sublett, James McConner, T. N. Stinson, D. W. Hunter, Jerry Nichols, James Herrin, H. N. Watts, J. M. Small, T. W. Huges, H. Cox, J. R. Wiseman, R. A. Edwards, P. Croco, A. G. Brown, Ed. Updegraph, Francis Grassmuck, A. P. Bigler, L. D. Chilson, H. J. Strickler, Dr. Crogsdale, William Pickercell, W. A. M. Vaughan, John Homer, J. Hitchner, F. A. Wentworth, Robert H. Mathews.

M. J. MITCHELL.

TECUMSEH, K. T., *May 6, 1856.*

JOHN LONG called and sworn.

To Mr. Reeder:

I came into this neighborhood near a year ago the 10th of last January, and settled in this district, so far as to commence building, though I did not move my family up here until the first of March. I came from Michigan to Independence, Missouri, where I lived a year, and then I came here, and have lived here ever since. I was at the election here the 30th of March, 1855. There were a great many strangers here. The day before the election I was here in town: there were, I should think, about 200 men, strangers to the district, as far as I know, many of whom I had known in Independence.

They camped on the bottom near here, north of Mr. Stinson's, perhaps a quarter of a mile west of here. I was in their camp the day before the election; was here nearly all day; was acquainted with a great many in the camp, and was round the camp with them. I do not know as there were any arms in the camp, for I saw none, as far as I recollect now. I had some conversation with those in camp, and they told me they came principally from Jackson county, but some from Clay county, Missouri. They said they came for the purpose of voting. I was on the ground on the day of election, and I saw a great many of them vote. A Mr. Noland, an old gentleman I knew in Independence, claimed the privilege of voting first. The party all came to the polls, though, I think, not all at a time. I got to town here, I think, about 8 o'clock in the morning, though I was not around the polls all the time. The following names on the poll-lists I know to have been residents of Missouri: Smallwood Noland, Gillson Thomas, Reuben Johnson, L. Ruffner, J. A. McBride, O. C. Stewart—(Stewart always has had his family in Missouri, though he had a claim here and had a house built on it, but he did not bring his family here, I think on account of their health. I suppose he would be considered a resident there, though he has merely stopped here over night since then, generally at my house, and has made no more improvements)—J. N. McBride, D. C. Patterson, J. P. Henry, M. Noland, A. J. Messes, J. McMurray, R. D. Wood, D. N. Ross, J. M. Pitcher, E. A. Hickman, W. L. Farragh, J. T. Thomas, W. S. Rogers, S. H. Woodson, D. W. Snaug, S. J. L. Porter, J. C. Riggs, B. Miles, N. B. McMurray, J. C. McCoy, W. M. Akin, F. Pitcher, J. W. Hockaday, James Jackson, and J. W. McMurray. I know Samuel H. Woodson well; he lives in Independence, Missouri. I think he has represented the district in Congress; that he is a farmer and a lawyer, and at one time had a contract for carrying the mails over the plains to Santa Fé, though I do not know whether he has any interest in it now. He was one of the leading men here, and I think took the part of Mr. Strickler against Mr. Owen C. Stewart, when there was considerable contest as to which should be run for council. Mr. Woodson was in the room with the judges before the voting commenced. There were a great many men here that I knew resided at or near Independence, but I am not familiar with their given names, and cannot state positively that the names on the poll-lists are meant for them, except so far as I have given them. I heard considerable threatening outside at the time Mr. Burgess was in the judge's room. There was a great deal of excitement and loud talk and threats against the judges of the election. I do not know as I could state the exact words. The crowd around the window were threatening mostly against Mr. Burgess, if he did not receive their votes, or was not put out. Just at evening, pretty near time to close the polls, I had got on my horse to go home, and the Rev. Mr. Gilpatrick (whose name I afterwards learned) was standing near the door, and I saw some one strike at him, but I do not know who he was. I got off my horse and went up to him. I think as I got up to the door where he had been standing, he stepped into the opposite room of Mr. Stinson's house, where the polls were held, and claimed

protection of Mr. Stinson. I think Mr. Stinson's reply to him was, that he could not have protection there, and he opened the back door for him to go through the house. I had then just stepped in ; the door was closed by some one, and I opened it and asked him to come out the front way that he had gone in at. He remarked that he had been insulted ; that he had come there to vote and could not have the privilege of voting. I remarked that it was not worth while, as there was a great deal of excitement, and we had better not try to vote. That was about all that was said at the time, and we left in a very few minutes after that. He inquired of me for some friend of his, and when I came away he had got out of the crowd, and was standing by the fence, and I think had found the friend he was looking for. I think Mr. O. C. Stewart had talked to the man who had made an assault on him, as he knew them, and had quieted them somewhat. The first I knew of the difficulty was that I saw a man striking at him ; but I do not know whether he struck him, though I thought he did. There did not seem to be any in the crowd disposed to befriend him, and he got away as I have stated. I saw no marks or blood on him.

To Mr. Sherman :

I did not vote that day.

To Mr. Reeder :

One reason was, that I did not have the privilege of voting for men I wanted to vote for. I did not feel inclined to vote. I thought there was no use in the settlers voting against the people from Missouri, as, on account of the numbers, they could not stand any chance of electing their candidates. I suppose there were two hundred Missourians here, and I do not think there were over a hundred voters in this district, though I did not know who were actual settlers here. I did not know any persons except from Jackson county, Missouri.

Cross-examined by Mr. Rees :

I do not know the original cause of the difficulty with Mr. Gilpatrick. I think Mr. Stinson refused him protection, saying he could not have protection there, and at the same time opening the door for him to go out. I was not prevented from voting at that election. The reason I could not vote for the man I wanted was, that one of the men I wanted to vote for was not a candidate. There was one candidate I should have voted for if I had voted. I have been a western man for some time. I think it is frequently the case that there are fights at election, but I never saw much of it myself where I have been. I have resided for nearly fifteen years in Michigan. Mr. Strickler for councilman, and Dr. Crogsdale and Mr. Halliday for assembly, were the candidates that day. I cannot say whether the free-State men had any name on their tickets for council or not. I think the majority of them voted for Mr. O. C. Stewart, and it is probable there were tickets with his name on them. I think that Strickler was the only regular candidate on the field for councilman, though I am not certain. There was another man spoken of by some, but I do not

know whether there were any tickets with his name on or not. I think he came from Brownville, but do not recollect his name. One reason why I did not vote was because I thought there was no use in voting.

JOHN LONG.

TECUMSEH, K. T., *May 6, 1856.*

JAMES HICKEY called and sworn.

To Mr. Reeder :

I came into the Territory on the 27th of November, 1854, spent a week in Lawrence, and got to Topeka about the 12th or 14th of December, and have resided there ever since. I was at the election here on the 30th of March, 1855. I came here to vote, and saw a very large crowd of people here. I was pretty well acquainted in the Topeka part of this district, but not much in other parts of the district. I was at the polls here some two or three hours. I heard one man at the polls make a speech, and say that he had come a good ways to vote, and he was not going back until he had accomplished his object, and advised them not to leave the polls until they were closed. I did not pay a great deal of attention to his speech, and do not recollect that he said anything about how long he had been coming or how far he had come. I did not vote that day, as I was advised by some of our men of Topeka that it was no use of voting. I saw no camp, but I saw a great many wagons they had. They were generally armed. Almost every man had a revolver, and generally sticking out of his boot-leg, and most of them had large clubs. Almost all of these men were strangers; and, out of the crowd, I do not suppose I knew more than twenty who came from Topeka and that neighborhood.

Cross-examined by Mr. Rees :

I saw nothing to prevent me from voting that day if I had desired.

JAMES HICKEY.

TECUMSEH, K. T., *May 6, 1856.*

LEWIS O. WILMARTH called and sworn.

To Mr. Reeder :

I came into this district on the 2d day of February, 1855. I was at the election of the 30th of March, 1855; I saw a large number of strangers whom I took to be from the State below, and I knew some of them to be from there, as I had seen them, as I had been down there. I do not know how they came here, as the first I saw of them they were here. I did not see their camps. I saw here from Missouri a young mechanic from Westport—I do not know his name—and another young man named Holloway, that I knew in Westport; I had no

conversation with them, as I was with the crowd, passing for one of the crowd, and avoided those I knew, for they knew me and my principles. I talked with quite a number of the crowd, and they said they had come here to whip the damned Yankees; but they were afraid the Yankees were playing them rather a Yankee trick in not voting. Several of them said they came purposely to fight, and they wanted to get into a row. One man remarked, if he could get the boys to join with him, he would go up to Topeka and wipe the people into the river; that he was good for half a dozen. They were all armed with guns, pistols and clubs, which they brandished around very much, rushing to that corner of the yard where there seemed to be any excitement. I made several attempts during the first part of the day to get to the window where the votes were received, but could not on account of the crowd. In the latter part of the day they gave out that they wanted us all to come and vote. I did not vote, because the judges were appointed in such a manner, and the whole thing was conducted in such a manner as it was. I remained until the whole party that I came with had returned without voting. I did not hear them say directly where they had come from. They said they were from below, and one man said he had been about a week on the journey.

Cross-examined by Mr. Rees:

My object in going into the crowd was to see what they were going to do, and to talk with them: but I had nothing definite in view. As I was sitting on the fence when I first came here, two or three came and talked to me as though I was one of their number, and I thought I would let it go so for awhile, to see what it would amount to. I saw no violence offered to any one who desired and offered to vote, though I heard a great many threats.

LEWIS O. WILMARTH.

TECUMSEH, K. T., May 6, 1856.

D. H. HORNE called and sworn.

To Mr. Reeder:

I came into the Territory the 1st of December, 1854, from Massachusetts here. The last of March I went to Kansas City to meet my family I expected there, but I did not find them there. Being constable of this district, I felt it my duty to be present at the election. I left Kansas City on the 28th of March, 1855. I saw a party of horsemen cross the river there, and leave the same time I did. They said they were going into the Territory to vote; they asked me if I was acquainted with the road, and I told them I was; they asked me if they were right on the road to Lawrence, and I told them they were; they passed me, as did many other horsemen and some teams during the day. I reached Lawrence the day after I left, late in the evening. A large party overtook me just as I got there. Some wagons had flags hoisted and a drum on board. I went into Law-

rence with the mail-team, and took the mail on to Topeka, it being then between 9 and 10 o'clock in the evening. Soon after I left Lawrence a party passed me. I stopped at the springs until the next morning, the day of election, and then came on here to Tecumseh. I saw a good many men here who were strangers to me, who were armed with clubs, knives, and revolvers. One of them stated that Mr. Stinson would not allow them to bring their guns inside the yard, but they must deposit them outside and arm themselves with clubs if they could get them easy. I was here when Mr. Burgess came down from Topeka, and conducted him to the room of the judges of the election. Soon afterwards Mr. Stateler and Mr. Watts came in with the ballot-box. I was requested by some stranger to me to wait outside, and I did so. After I had been out awhile the crowd began to be somewhat uneasy because the judges did not organize. Some one got up and said they should either organize or resign, and have ten minutes to do it in, and they sent a man in to the judges with that message. The man told them; and afterwards, as the minutes would expire, he would inform them that he had so many more minutes. There was considerable excitement at the time; and they said if the damned abolition judge did not resign pretty soon they would hang him. About that time Mr. Burgess, the free-State judge, came out of the door. Several men started after him as he came out, and he called upon me to protect him. I went off with him, and they followed a short distance, and then turned back. We soon met some of our Topeka friends and advised them to go back. Mr. Burgess told them how he had been used, and they said they should not trouble the polls. He went home then. The people said, or some of them, that they came there to vote, and they were going to vote, and would take no oath. I knew most of the persons in the district. I should think there were two hundred and fifty persons around the polls that day, the most of them when the judges first got together. I do not think there were more than fifteen or twenty persons there who were residents of the district. I did not vote. I left when Mr. Burgess came out; and when he told me how he had been used, and the demonstrations there, I thought it better not to vote—that it was no use to vote the free-State ticket, which I should vote if I voted at all; and I thought a man might get himself into difficulty. A great many residents of the district from Missouri said that, if the free-State men would vote to keep the niggers out, they would vote the free-State ticket. A large majority in the district, I think, were free-State men.

Cross-examined by Mr. Rees:

I saw no violence offered to prevent any one from voting.

DANIEL H. HORNE.

TECUMSEH, K. T., *May 6, 1856.*

JAMES F. MERRIAM called and sworn.

To Mr. Reeder:

I arrived at Lawrence the 22d day of November, 1854, and came into this district the 7th of December, 1854, and have resided at Topeka ever since. I was at this place the day of election, the 30th of March, 1855. I think I got here not far from 9 o'clock in the morning, and left about noon, or a little later. I should judge there were from 300 to 400 about the polls on that day. I saw very few residents among them that I knew; the rest were strangers to me. I did not go down to their camps. I met Mr. Burgess as I came down, and he informed me of what had taken place here before he left. I came down that morning from Topeka, and found some 500 or 400 men assembled around the window of Mr. Stinson's house, where the election was held. The judges appointed by the governor, except one, had left, and they were trying to agree upon others in their places. The mob about the window chose two persons for that purpose. I did not vote. The voting commenced, and I was absent among the crowd, hearing their remarks, and looking on. There was a pretty free damning of the abolitionists and Yankees, and remarks about those who came in. While I was there, one who appeared to be a leader, and the most respectable-looking man among them, mounted the fence, and commenced a speech to the crowd, stating that he had understood that the abolitionists were coming down from Pawnee and Topeka, and other points, in the afternoon, and intended to take the polls in their own hands to out-vote them. He said he had come as far as any of them; had a farm and home in Missouri; had been a week from home, and was willing to stay a week longer, if it was necessary. He wanted them to stay until the certificates of election were given to their men, and he would then be willing to go home with them. That was the substance of what he said. I heard his name, but do not recollect it. The crowd about here were armed, and a good share of them appeared to be in liquor, and were very noisy and boisterous. I saw a great many bowie-knives, revolvers, and guns, and many of them had sticks or bludgeons, that appeared to be freshly cut. I did not vote, because I did not consider the election legally conducted.

Cross-examined by J. W. Whitfield:

I came into this Territory from Vermont. I came out in company with a young man by the name of Hickey. At Albany we fell in company with some 80 or 100 more, who were coming out here, and we came out with them. There was one man who might be called a leader, named Taft, who made arrangements for the party. They were not known by any particular name or organization.

To Mr. Howard:

I knew, by the papers, that a party was to start to come out, and I went there to meet them, but had no appointment with them.

To Mr. Whitfield:

All the control this agent took was, for instance, when we stopped at Chicago the different runners of the hotels came on board, and he made arrangements with one of them for dinner, &c., and the most of the company went there, but all of the company did not. The company furnished their own means, as far as I know. I paid my fare out of my own funds, and I know of no reduction being made. This party came out under the auspices of the Boston Aid Company, so far as to arrangements the Aid Company had previously made with different lines of travel. This I understood, but I do not know of it myself. I do not know that there was any agreement to comply with any arrangement whatever. I made none myself, and I do not know that any of the rest did.

I saw no one here prevented from voting. I know that I and the free-State men did not vote, because there were no legal persons to receive the votes. I think I had a ticket with C. K. Holliday and Dr. Wood, and I think Mr. Stewart, on it. It was a sort of fusion compromise ticket, as I can recollect now.

To Mr. Sherman:

Those candidates were not withdrawn. The free-State men came here with tickets in their pockets, and finding the legal judges had been ousted, and some persons chosen by the mob, who were not legally entitled to receive their votes, they, as a general thing, did not vote. I have no question that a majority of this district were free-State men at that time. I am a dentist by profession. My knowledge of the people of the district is not very extensive. I know all the men in and about Topeka, many here, some down on the Wakarusa, and in other parts of the district; and, so far as my knowledge extends, I should think the proportion of free-State men to pro-slavery men was 4 to 1.

To Mr. Whitfield:

On our ticket we agreed to, and one which I think I had at that time, I think was Mr. Stewart's name, and he was a pro-slavery man. It was a kind of compromise on the ticket, where one party would allow the election of an opposite candidate if the other party would return the favor. We were firmly convinced that this overwhelming majority would be here from Missouri on the day of election, and we took this as the only course by which we would be likely to get a hearing.

By Mr. Reeder:

I do not know that the Emigrant Aid Company ever paid the passage of any one out here.

J. F. MERRIAM.

TECUMSEH, K. T., May 7, 1856.

WILLIAM R. BOGGS called and sworn.

To Mr. Reeder:

I came into the Territory in February, 1855, to settle, though I had located in the Territory about August, 1854. I located above Topeka, in the third district, and have lived there ever since. I came from
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Howard county, Missouri, here. I was raised in Missouri, partly in Howard county. I was at the election of the 30th of March, 1855, and I found a great many strangers here, but I could not tell where they resided; I could not tell positively who were residents at that time. I saw a great many men I had known in Missouri, but I did not ask them where their residence was there. I do not recollect of seeing any of them in the district since that time. I had conversation with some I was acquainted with in Howard county, but it was not in regard to the election or their residence. I think some one or two or them told me they came here to vote. I was in their camps; a portion of them camped north of this on the river, and there were various other camps. I think there were about 100 here, though I cannot tell positively whether there were more or less of them. I was in the camp above here on the river the day of election; I voted here.

To Mr. Sherman:

I saw a great many vote there who were strangers to me.

Cross-examined by Mr. Whitfield:

The candidates of our party were Dr. Crogsdale and Mr. Strickler, and some one I do not recollect whom. I think Mr. Holliday's name was on the other ticket. I think there was some opposition to Mr. Strickler. I saw no man prevented from voting, and nothing to prevent any one who had any resolution about him. There may have been a little more trouble here than at elections in some parts of Missouri; but it is common to have something of the kind at elections in western countries. I saw many residents of the district vote.

By Mr. Reeder:

I do not know that I know any one who voted differently from what those strangers did on that day; but I was not around the polls much; I do not know how they voted. The men I know from Howard county were Dr. Morse, a Mr. Hughes—perhaps one or two of them, one by the name of Clarke, and several others I do not now recollect.

WILLIAM R. BOGGS.

TECUMSEH, K. T., *May 7, 1856.*

W. A. M. VAUGHAN called and sworn.

To Mr. Reeder:

I was living in Tecumseh on the 30th of March, 1855. I first came here on the first or second week in September, 1854, and have resided here ever since. I moved from Nebraska Territory to Missouri and remained there for a month, and then came to this Territory. I went from Missouri to Nebraska in 1850; I went from Kentucky to Missouri, and from Virginia to Kentucky. I saw a great many men on the day of election, and both before and afterwards here, that I did not know. Some of them came a-foot, some in wagons, carriages, and buggies, and some on horseback; some encamped here, and some passed above. The largest encampment I saw was on the Shungumunga, about two hundred yards from Mr. Stinson's; I was in the camp once early in the morning of the 28th of March; there was only one wagon there then, and from three to five men. I was introduced to two of them at that time—one of them was Henry or McBride, I do not know which. I did not hear where they were from; I remained

there but a few minutes. That camp increased afterwards, for I saw a great number of tents there, but I was not in it afterwards. I saw persons in town that I had seen some two months or three months previous in Missouri; I recognised some seven or eight of them. I think the first time I saw them here was on the 28th. They were a young man by the name of Bird, who had a claim near Douglas, but now resides in Leavenworth city; one by the name of Bennett, who told me he had a claim near Douglas, but resides in Missouri; a man by the name of Ryland Jones, who I had seen previously in Missouri, and since in Leavenworth city; a man by the name of O. F. Dougherty, who resided in Missouri, and I have since seen him there. I saw others there I do not recollect now. I have examined some four times the poll-list of this district for the 30th of March, 1855. The following is the list of the names of those I find on the poll-lists of residents of this district; those having no remarks to the names correspond with the names on the poll-list.

Residents of Third District.

George Holmes had a claim, but had not resided on it for some time, or until a few days before the election; — McBride had a claim on Deer Creek—do not know given name nor time of residence; — Lowe, do not know given name; O. C. Steward, G. Bowls, J. W. Kavanaugh, J. R. F. Hoot, F. A. Wentworth, W. A. Sublett, G. M. Holloway, J. R. Warren, J. Mitchener, J. Strother, J. Piles, C. H. Buzzard, P. Woods, J. McConnell, E. G. Vaughan, Thomas Warren, J. Piles, S. Scott, D. W. Swearingen, W. Sutherland, T. N. Stinson, D. W. Hunter, J. C. Rigg, J. McConnell, (should be Harvey McConnell), R. H. Matthews, J. Sarton, B. Wilks, N. M. Hendricks, A. D. M. Hand, J. Acres, J. W. West, J. Niccum, W. D. Owen, James Herren, H. N. Watts, James S. Piles, J. H. Weaver, C. Copeland, Samuel D. McCutchen, James M. Small, T. W. Hays, Horatio Cox, W. Matney, M. Rule, James K. Waysman, G. W. Berry, R. A. Edwards, Peter Crocco, A. G. Brown, A. J. Kelley, Edward Updegraff, W. R. Boggs, W. H. Brady, L. B. Staleter, James Corigal, Charles Alexander, F. Grassmuck, John Sailing, A. T. Byler, W. Stanley, J. M. Edwards, Richard Steward, W. Mutney, sen., L. D. Chilson, John C. Agee, (on books, J. R. Agee), Thomas Quesenberry, Richard Hunter, H. Z. Quesenberry, (on books, H. G. Quesenberry), H. J. Strickler, D. Croysdale, W. Pickerell, W. A. M. Vaughan, John Horner.

I find two J. McConnells on the list. I knew a J. McConnell and a Harvey McConnell in the district who are brothers, and I think one of the J. McConnells was meant for Harvey McConnell. A man by the name of Lowe lives in the district, but I do not know his given name. A man by the name of McBride had a claim on Deer creek, but I do not know where he lived. When I speak of men living on claims, I mean that I saw them alive before they went there, and I saw them alive after they came back, and they also told me they lived there. McBride came here a few days before the election, but I do not know how many. I was one of the clerks of the election. I was out in the yard talking; my name was called, and I went into the room, and did not know for what purpose I was wanted until I got into the room. I am a pro-slavery man. I have been in the mercantile business ever since I have had my house up. I am postmaster here. I am tolerably well acquainted here in the district. I do not think any of the strangers here told me where they came from. I do not know of my own personal knowledge that any of the men here on the day of election lived in Missouri at that time. I know of my own knowledge that the names I have given on the list as residents of the district were living here at that time. I am of opinion that those I have given as residents of Missouri were residents of Missouri at the time of the election, for I saw them there some two months before, and have

seen some of them since. Some of them had farms, and some of them were in stores. I find the name of J. Estes on the list. I know a J. Estes in Missouri, but I know he was not here. I did not see him here. I know he was too old a man to get out here. Am keen to swear he was not here.

The following is the list of the persons I allude to as being from Missouri:

Smallwood Nowland, (know a man in Missouri by the name of Nowland, not given name,) John Bland, (know such an one in Missouri,) O. F. Dougaerty, (know such an one in Missouri,) R. Jones, (know such in Missouri, now in Leavenworth city, K. T.) G. W. Withers, (know such an one in Missouri,) G. W. Hall, (know such an one in Missouri,) L. L. Bennett, (know such an one in Missouri,) L. Tillery, (know such an one in Missouri,) Emmet Allen, (know such an one in Missouri,) G. Long, (know such an one in Missouri,) J. J. P. Bird, (know such an one in Missouri,) H. L. Roustt, (know such an one in Missouri,) J. P. Henry, (know such an one in Nebraska,) J. Estes, (know such in Missouri, who was not here,) H. Morton, (knew him in Missouri and Philadelphia, Penn.,) N. R. McMany, (have heard of such a name,) J. A. Laneheart, (know a Laneheart in Missouri,) A. B. Earl, (know a Dr. Earl in Missouri,) W. F. Gordon, (know a man by the name in Missouri,) C. S. Stark, (know a man by the name in Missouri,) T. C. Coombs, (know a man by the name in Missouri,) James G. Adkins, (know a man by the name in Missouri,) S. H. Woodson, (know a man by the name in Missouri,) W. W. Tilley, (know a man by the name in Missouri,) James Hunter, (know a man by the name in Missouri,) H. A. Hunter, (know a man by the name in Missouri.)

WM. A. M. VAUGHAN.

TECUMSEH, K. T., May 7, 1856.

W. A. SUBLETT called and sworn.

To Mr. Scott:

I resided on the 30th of March, 1855, at Tecumseh, in the third election district. I went there in the fall of 1854. It was rumored through the Territory that eastern men were to be sent to the Territory for the purpose of voting, to make Kansas a free State. The rumors on the borders of Missouri were pretty much the same in regard to the matter. I heard one man say that he had come for that purpose. He was in company with another gentleman. He was speaking of himself and a company of some six or eight others. There were but those two persons present at the time of the conversation, and the others were in camp close by. As near as I can recollect, he said he came with a company from Pennsylvania; that they had come out through the influence of Governor Reeder, and for the purpose of voting. He said that there were between forty and fifty behind on the river, coming up for the same purpose. It was before the time of election. He told me that he knew of the election in Pennsylvania before we knew of it here. I think this conversation took place in February, 1855. These persons were all I knew of who professed to have come into the Territory for the purpose of voting. I do not know of any free-State men going out of the Territory just after the election. I do not recollect that this person stated how they knew the time of election in Pennsylvania.

Cross-examined by Mr. Howard:

This conversation took place in my storehouse in Tecumseh. I do not know what was the name of this man. There were two together at the time. He stated that there was a company of forty or fifty behind on the river; so I understood. He himself had just come into the Territory, and was on his way to Fort Riley. I think he stated

to me that he came by water. He did not state anything about his leaving after the election. He stated that the time of election was known in Pennsylvania before it was known here. I cannot say what time this took place, except that it was between the first and the last of February.

To Mr. Scott:

It was after navigation had opened on the river, because I think this gentleman told me he had come up the river. I do not know what time navigation did open. I cannot be certain that it was in February, for I may be mistaken; but if my recollection serves me right it was in February, and after navigation was opened.

W. A. SUBLETT.

LEAVENWORTH CITY, K. T., *May 26, 1856.*

GEORGE HOLMES called and sworn.

To Mr. King:

I was a resident of the Territory of Kansas at and before the 30th of March, 1855, in the third election district. The election was held on that day at the house of Mr. Stinson, in Tecumseh. I acted as one of the clerks at that election. I went over to the place of holding the election, and one of the judges (Mr. Burgess) was there. I then went over to the house of Mr. Stateler for him and Mr. Watts, the other two judges appointed by the governor. They came over to the polls, and Mr. Watts proposed the appointment of two clerks. Mr. Burgess objected, saying that he could find nothing about clerks in the instructions of the governor, and he thought he could do his own clerking, and the other two judges could do the same. They then commenced an argument on the qualifications of voters. I do not remember all the argument; but Mr. Watts and Mr. Stateler were not in favor of receiving all who offered to vote, as to whether they intended to remain in the Territory all their lives or not. Mr. Burgess said he would swear every man he was not personally acquainted with, that he was a resident of the Territory, and intended to live there, and whether he had any family in the Territory. That is the argument to the best of my recollection. Mr. Watts said every one they were at all doubtful about they would question, and he would have to swear or prove that he was a settler, and intended to reside in the Territory. He said he was in favor of letting every man vote who had a claim, and intended to make a permanent settlement on it. As far as I could understand it, I do not think their object was to allow persons who came there merely to vote and then return to give votes there that day. I do not think there were more than fifty on the ground, perhaps one hundred, when I went after the judges. I was in the room afterwards with Mr. Burgess, and do not remember more than that being there in the morning. I knew most of the persons I saw there, and considered them residents. The only violent talk I heard during the day was while the argument was going on between the judges. Mr. Stinson came in and asked Mr. Burgess if he had said that every man who had married a half-breed ought not to grumble at any one who married a nigger, or something to that

effect. Mr. Stinson had married a half-breed. Stinson had a cane in his hand, and told Burgess if he had said so he would break his head. Burgess denied having said so; when some persons in the room interfered, and told Stinson not to quarrel with him in his house at that time, as it might interfere with the election. Mr. Stinson said he would settle it with Mr. Burgess some other time, and then left the room.

I believe the judges could not come to any agreement; and they all agreed to resign, and allow the voters there to elect new judges. Most of the voters I saw there I knew. They were standing at the window at the time, and said it was past the time for opening the polls, and wanted the judges to proceed with the election. They were legal voters, so far as I knew them. Other judges were elected, being residents of the Territory, and living there at the time. I do not recollect their names. They appointed Mr. Vaughan and myself to act as clerks of the election. I prepared the poll-books myself. I have no recollection of any one from Missouri there arranging the poll-books. I mean by preparing the poll-books, taking the paper and ruling it into appropriate columns. I think several votes were challenged during the day, and the judges decided they could not vote—some for being minors, and some for other causes. There were only few challenged. I always was of opinion that the district was strongly pro-slavery. I had not been about in the district a great deal, and did not know how many voters were there. I knew the county round about was pretty thickly settled, and it was one of the principal districts in the Territory. I judged by the election the fall before, at which I was also a clerk, that the pro-slavery party would be about eight to one. I had been sick in the Territory, and could not be about much, and I was also taken sick again while down here afterwards. There were a great many persons who did not come to the fall election, as they lived a long distance from the polls; and I thought it was no use to come, as Whitfield would be elected any way.

I saw some on the ground at the election of March 30th that I had known in Jackson county, Missouri, but I did not know whether they were residents of the Territory or not. All that I spoke to that I did not know of having claims there said they had claims, and intended to improve them and become residents. I left the district shortly after the election, and do not know who have moved there since.

Cross-examined by Mr. Sherman :

I first moved into the third district in August, 1854, and settled near Tecumseh. I had no family at that time, but took a claim, and afterwards improved it during the fall and winter, building a cabin on it. I was part of the time, from August to November, in Westport, where I had moved from, and part of the time in the Territory. I do not know exactly how long I was in the Territory. I went up in August, made my claim, came down here, and got a wagon and horses, and went back with the intention of improving my claim, and was taken sick in the Territory, and laid sick there three weeks at Mr. Horner's. I then came down to Westport on business, and was taken sick here again, and lay sick here for a long time, nearly up to

the time of the election in the fall. I then went back again, and served as clerk of the election. When I came down here and was sick, I was engaged in writing up some books, as I could do but little to enable me to meet my expenses, but had no permanent engagement. I returned here directly after the November election, and returned to the Territory again not long before the March election. I was engaged in business here during the winter, when I was able to make something to live upon, as I was a poor man. I had, however, improvements going on in the Territory upon my claim at the same time. I do not know anything about other persons going up from Missouri at the time I did, except myself and Mr. Hunter. I saw a gentleman there on the day of election, who was said to be Col. Samuel H. Woodson, of Independence, Missouri, but I do not know the man, having heard of such a man only, and do not know him except by reputation. The one called Mr. Woodson was in the room with the judges and clerks part of the time, and part of the time he was not. Several gentlemen made speeches that day, but I was busy counting up the votes, and could not say positively whether Mr. Woodson spoke or not. I do not remember who the gentlemen were who persuaded Mr. Stinson not to interfere with Mr. Burgess. I considered that a man who was on the ground the day of election, and had a claim, was a resident voter. I did not say anything to Mr. Woodson about his having a claim, and do not know whether he voted or not. The question usually asked by the judges, of those whom they questioned at all, was whether they had claims in the Territory or not. I do not remember how many were so questioned. I left there a few days after that election, and have resided in Westport, and am now engaged in business here. I left the Territory because I could not make a living there.

To Mr. King :

I have my claim yet. There was a dispute about my claim when I went up in the fall, and that was one reason why I left there. I told Judge Elmore he might have the houses, but I believe the claim is not taken by any one but myself yet. I tried to sell my claim for some time, but could not do it.

Several speeches were made, but I was busy at the time, it being after the election was over, and while the judges were counting over the votes, and I was keeping the tally list as clerk. The voting that day was quiet and orderly, and I saw no violence of any sort. Some votes were cast for the free-State candidate, Holliday, and I saw nothing to prevent any one from voting for him who wanted to do so.

To Mr. Sherman :

I never did vote in this State, as I was just of age when I went up into the Territory in 1854.

To Mr. Oliver :

When I went up to the Territory and took a claim, I intended to go there and cultivate my claim, and reside upon it, and make a living there if I could ; and only returned here after having tried and failed

to make a living there. I had no intention, when I took a claim, of taking it merely so that I could vote. I understood from many persons about that time, that they had taken claims, and were making preparations to take their families there. If a man said he had a claim, and I believed it, I thought he was a voter. I considered all voters who had claims, and were really intending to settle upon them.

GEO. HOLMES.

WESTPORT, Mo., June 3, 1856.

GEORGE H. BERRY called and sworn.

To Mr. King:

I first located in the Territory of Kansas on the 1st of September, 1854, and moved my family there in November, eleven miles south of Tecumseh, in the third district. I was at the election at Tecumseh on the 30th of March, 1855. A majority of the people there were strangers to me. I recognised a great many of them as citizens of the country. I was not at the polls much, merely going down there to cast my vote. I was not at the polls more than twenty minutes, and not more than an hour on the ground, during the day. During the month of March there was considerable emigration, and, as far as I could see, more than at any time previous.

Some few days after the election—not more than seven or eight, and perhaps not more than four or five days—I was coming down to Westport on business, and I fell in with many men on the route. And about noon I met with quite a number of men at Blue Jacket's, on the Wakarusa. I drove into the body of the creek to get some water, and some four or five men rode up to me, going into the Territory; and after talking with them a bit, I found them to be Missourians. We struck up a conversation, and while we were talking a company of fifteen or twenty, who were encamped on the bank, whom I supposed, from the direction of their teams, to be men going into the Territory, came to the spring in the bed of the creek to get water while I and the Missourians were talking. As they passed from me going back to their wagons, I asked some of the Missourians who they were, and where they were going. The answer was given to me that they were Yankees, and I said that they had come a little too late, and should have come before the election, and had an opportunity to vote. The party had not gone out of hearing. They turned around, some three or four of them, and thanked me kindly, and said, "Sir, we have done that little thing, and are on our way home." Some one or two went on to remark that they were aiming to beat Missouri at her own game. I told them that was right, and every man who could be beaten at his own game ought to stand it. I travelled along the road, and saw some of them along the way, and some of them here in Westport, and also in Kansas City.

To Mr. Sherman:

The Council Grove district is a little northwest of me. At that

time Mabillon McGee lived in that district, and now lives in this vicinity. I know of no settlement west of Council Grove. My understanding from these eastern men was, that they had been at Lawrence and had voted there. Where I met them was this side of Lawrence some seven or eight miles.

GEORGE W. BERRY.

WESTPORT, MISSOURI. *June 7, 1856.*

FOURTH DISTRICT.—*Dr. Chapman's.*

PERRY FULLER testified.

Examined by Mr. Reeder :

I have resided in the fourth district since September 6, 1854, and profess to be well acquainted in the district. I have been doing business, merchandising, ever since I came there, and have had a good chance of becoming acquainted. I was at the election of 30th of March, 1855, and was appointed one of the judges of that election. I went to the place I was told it was to be, (the election was to be held at Dr. Chapman's,) and got there half an hour before the time prescribed for opening the polls, and stayed at Dr. Chapman's something like an hour, I suppose, and was then told the election was being held half a mile from there, at another house, and going on at the time. I went over there, and got there a short time after the hour for opening the polls, and was told that some forty odd votes were taken before I got there. I went and asked the question of one of the judges why they opened the polls without the proper judges being there; the answer was that I had come too late. I then told the free State party that it was a one-sided election, and advised them not to vote, and think only two of them voted.

There was a good many men camped there, a good many wagons, and a general display of guns and implements of war. They were very rude; the company was very insulting.

As near as I recollect, there were some forty-seven legal voters in the district at that time. There were eighty votes cast at that election.

I have here a list of actual residents of the district who did not vote at that election. There are twenty-nine of them.

There are only fifteen names on the poll list who were actual residents of the district at that time. Their names are as follows: Reuben Hackett, John H. Lockridge, D. S. Keezer, David Pultz, J. B. Davis, Joseph M. Bernard, Alfred Dale, Charles Horner, J. Chapman, Reese B. Young, C. J. Hartley, William G. Luckett, Thomas Essex, Richard McCamish, and J. Wilson.

I was acquainted with one of the non-residents who voted that day, T. J. Lockridge. Their camp was 150 yards, perhaps, from the election.

They had two sets of poll books, one to elect a governor.

I was disgusted with the proceeding, and left for home.

One of the judges appointed by the governor officiated. James B. Davis and Thomas Mockbee were the other two judges.

The next day we met and got up a protest, which we sent in signed by thirty-one persons, none of whom had voted, and all were residents.

The following is the list of twenty-nine names which I referred to:

John F. Javens,	James Moore,
Mansfield Carter,	Jacob Clark,
Samuel Workman,	Champion Mayfield,
Thomas Doty,	Samuel Mewhinney,
Levi Doty,	P. Basinger,
Franklin Barnes,	A. B. Gilliland,
J. C. Hughes,	William Harris,
Charles Clark,	Wm. Mewhinney, sen.,
William David,	Ralph Mayfield,
M. Shore,	Wm. Mewhinney, jr.,
A. F. Powell,	Amos Hanna,
S. T. Shore,	Perry Fuller,
William Moore,	D. Hendricks,
Silas Moore,	A. G. Miller.
Edward Moore,	

PERRY FULLER.

LAWRENCE, K. T., *May 3, 1856.*

PETER BASINGER recalled.

Examined by Mr. Reeder:

I was not at the March election in 1855. I saw numbers of persons going to the election, and saw some going back after the election. There was some man from Missouri, who was boarding at my house at the time, who had come out to look at the Territory. Some of those who were going to the election I knew were Missourians, and had seen in Missouri, as I had teamed it a good deal that fall, and had become acquainted with them. Some of them had been there in the November before, but I do not recollect their names. I was the last settler on the side of the district towards Missouri. I should suppose some twenty or thirty persons passed my house before I left. One person I knew, called Mr. Mockbee, stopped and got a cup of coffee, as several of them did. Mr. White stopped there also; I knew him. I left home that morning about ten o'clock. Dr. Chapman's is, I should suppose, about four miles from the Missouri line. I got back home the evening of the day of the election.

PETER BASINGER, his x mark.

LAWRENCE, K. T., *April 30, 1856.*

WILLIAM MOORE testifies.

I came into this Territory about the 16th of August, 1854, from Indiana, and settled on Ottawa creek, in the fourth district, and have lived there ever since. I was at the election of the 30th of March, 1855. At that time I had become tolerably well acquainted with the citizens of the district.

My son, Edward Moore, was appointed one of the judges. I went with him early in the morning of the election to Dr. Chapman's house, the place where the election was to be held. When we got near there, I saw no persons about. A little distance from that house a couple of gentlemen came out of a cabin and told us the election had been moved betwixt a quarter and a half a mile from Dr. Chapman's to a double cabin that was unoccupied, and that about sunrise, or a little earlier, they had gathered there, and Squire Haskell of that district had sworn in some men as judges. I met then with Mr. Fuller, the other free State judge, and we consulted as to whether we should go from Dr. Chapman's. We went, and when we got to the top of a rise, we saw quite a number of carriages and buggies, and perhaps a rise of a hundred men, who, with few exceptions, were entire strangers. I do not think there were more than a dozen men there who belonged to the district. We went up to the place where they were voting. The principal part at that time, eight or nine o'clock, had got off in little groups around, and appeared to be playing cards and drinking liquor, and were quite noisy. They said their liquor had about run out, and they started off, two or three on horses, to hunt more liquor. We staid there perhaps an hour and a half, until some more of our neighbors came in, and we concluded we would not vote; that we would draw up a protest, because the election was illegal. We then left for our house. I had but little conversation with those strangers, and did not hear them say much about their coming there, or where they came from.

I recognized Mr. Thomas Mockbee, who was acting as one of the judges of the election, as he had done the election before; also a Mr. Thomas Lockridge, who lives not far from Independence, where I have seen him. There appeared to be two elections, one kept in an adjoining house, where one man was acting as receiver, judge, and clerk. He said he was taking votes for a new governor. I asked him if Governor Reeder was dead, and he said he had run away, and more than that, he was a one-sided governor, and they wanted one that had two sides. His poll book appeared to be this red-colored wrapping paper, and his pen one of these black pencils. He kept calling out for more votes, saying they surely had not all voted that wanted a two-sided governor. His name was Timothy Keezer, and he lived in the district. I did not stay there more than an hour and a half or two hours, and left between ten and eleven o'clock. I think some of these strangers did not vote.

To Mr. Howard:

These men voted for Thomas Johnson—Uncle Tom Johnson, as they called him—for governor.

Cross-examined by Mr. Oliver :

Mr. Thomas Mockbee, I understood, was not a resident, he did not live in the district, and his friends always told me he did not live in the Territory. I did not know his residence only from hearsay. He had a store on the north side of the Santa Fé road, out of the district, at what is called Willow Springs.

WILLIAM MOORE.

LAWRENCE, K. T., *May 8, 1856.*

JOHN F. JAVENS testifies.

I came into the Territory on the 29th of February, 1854, from Westport, Missouri. I settled upon the headwaters of the Marais des Cygnes, and was the first settler who made a claim there. It was in the fourth election district. On the morning of the election of the 30th of March, 1855, I was at the house of Dr. Chapman, the place designated by the governor where the polls were to be held, and saw there two of the judges of the election appointed by the governor. I saw, about a half a mile distant, a crowd of men, who appeared to be voting there. There was no voting done at Dr. Chapman's house while I was there, and I left there with the judges while the election was going on at the other house. I saw men from Missouri I knew, stationed along the road in sight of the house, and threatening to shoot every free State man, abolitionist, or Yankee who should come there to vote. They said to me they were determined no man who was not a pro-slavery man should vote. These men were around, and I knew them personally, and that they were citizens of Missouri. I saw the place of voting surrounded by armed men, and but very few citizens among these armed men. The most of the citizens collected at Dr. Chapman's house, and when they saw how things were going they went home without voting.

I would not go to the place where the voting was going on, and did not vote that day, because it was surrounded by armed men from Missouri, who threatened every free State man who should come up there to vote; and the citizens, being unapprised of what was going to take place, were unarmed and unprepared to defend themselves. The free State citizens who were there, with myself as president, held a meeting to get up a protest against the election, as it was controlled by the citizens of Missouri, and we considered it illegal. The proceedings of the meeting we sent to the governor, signed, I think, by a majority of the legal resident voters of the district. I have examined the poll books of that election, and find on it not over fifteen or twenty names of citizens that I was acquainted with, and I thought I knew all at that time. I do not think there are more than fifteen, certainly not more than twenty. The remainder were not residents, and many I knew to be residents of Missouri at that time. Among them were some I knew when they were boys. I find on the poll books among those I know, and who are prominent citizens of Missouri, T. J. Lockridge, Thomas Mockbee, (who had a trading house on the north side of the

Santa Fé road, not in the fourth district, and resided himself in Jackson county, Missouri,) C. C. Hamilton, of Westport, S. Writter, of Kansas City, and a number of others. At that time there were a large majority of the citizens of that district who were and are now free State men. Many of them did not come to the polls at all, and did not know of the meeting I have alluded to, and were not there.

JOHN F. JAVENS.

LAWRENCE, K. T., *May 12, 1856.*

THOMAS MOCKBEE called and sworn.

To Mr. Scott:

I became a resident of Kansas Territory in June, 1854, occupying the place called Willow Springs, on the old Santa Fé road. I built a store house and two warehouses there at that place. The warehouses were built of stone. I also built some stone fence at the same place. I remained there a little over one year, and sold goods, provisions, &c., during that time. I also cultivated the claim, and raised some provisions there in the year 1854. The old Santa Fé road ran on the north side of my possessions. I had taken the responsibility myself to change this road by a temporary fence. The old road threw my building in the fourth election district. I was residing in the fourth district at the time of the election of the 30th of March, 1855; the old Santa Fé road being the line between the first and fourth districts, according to my understanding. I was judge of election in the fourth district on the 30th of March, 1855, being elected by the people then present, citizens of the district. The judges appointed by Governor Reeder came there. It was my understanding that the free State party had the polls. The judges could not agree, and two of them resigned, and consequently persons were selected by the people present to act in their places. I do not know who the two who resigned were, or what party they belonged to. Mr. Young, I think, appointed by Governor Reeder, acted as a judge of election. Mr. Alexander Johnson and Mr. Powell for representatives, pro-slavery men, were candidates at that election; Mr. Powell was opposing Mr. Johnson, and was on the free State ticket, but he had before that time voted the pro-slavery ticket. I do not think he was nominated at all. He did not vote that day. I do not recollect the names of the candidates for the council. There were about eighty votes cast that day, to the best of my recollection. I was acquainted with a great many of the people of that precinct. I think there were one hundred and fifty resident voters there altogether at that time, and the pro-slavery party had the majority at that time, and always had had; I should suppose from twenty to twenty-five majority at that time. I think the voters of the district were generally present that day at the place of election. A few of the free State party voted that day, but a good many of them did not vote. Everything was quiet at that election, and there was no disturbance at all during the day, that I saw. The pro-slavery

candidate there was, without doubt, elected by a majority of the legal votes given that day.

To Mr. Sherman :

I moved from Jackson county, Missouri, into the Territory of Kansas. I did not take my family with me, but I lived there myself, all the time, for one year and upwards, and some of the time I had some of the blacks of my family with me. I had a farm in Missouri at that time, and still carried it on. My wife and the members of my family remained on it, at times, and sometimes in other counties of Missouri, and sometimes in the Territory. I had a clerk part of the time, and part of the time a partner in my store in the Territory. After I sold out in Kansas Territory, I returned to this State. I have not voted in the Territory since I left there. The old Santa Fé road is north of my house, in the Territory; the new road, as travelled, is a small distance south of my house. I lived on the extreme verge of the district. I never canvassed that district in any way. My information in regard to the people of the district was derived from the nature of my business there, they generally trading at my store, more or less, from all parts of the district. I am not mistaken about the two judges appointed by the governor resigning that morning of election. I am certain I saw them there, then, before I was appointed to act as judge of election. I do not know as they assigned any particular reason for resigning.

THOMAS MOCKBEE.

WESTPORT, MISSOURI, *June 5, 1856.*

ANDREW S. JOHNSON called and sworn.

To Mr. Scott :

I was born and raised in the seventeenth district of Kansas Territory, and was living at the Shawnee Mission, in that district, at the time of the election of the 30th of March, 1855. I was not at the election in that district. I was a candidate for the house of representatives, and went about a week before election into the fourth district, which was a portion of my representative district.

Thomas Johnson, my father, and E. Chapman, were the candidates for council, pro-slavery, and S. N. Wood, and a Mr. Goodwin, free State; and Mr. Powell, free State, and myself, pro-slavery, were the candidates for the house of representatives.

The election in the fourth district was held at the house of Dr. Chapman. I was at the place of election about 7 o'clock that morning. The judges of election appointed by Governor Reeder were Mr. Fuller, Mr. Moore, and Mr. Pultz. The time came for opening the polls, and Mr. Pultz was the only judge present. The polls were not held at Dr. Chapman's residence, but at another house on the same claim. According to the proclamation, Mr. Pultz appointed Mr. Mockbee and Mr. Davis judges of election, in place of those who were absent. I asked some one present at the time, and Pultz said

the time for opening the polls had arrived, and I heard several saying that the polls should be opened. At the time the judges were appointed by Mr. Pultz, I heard no one object to the polls being opened on account of the hour not having arrived.

When I got to Dr. Chapman's residence in the morning Dr. Chapman was not at home. Mrs. Chapman said that as some of her family were unwell, and their house was small, she would take it as a favor if we held the polls at the other house on their claim. The house was between three and four hundred yards off, unoccupied, in full view of his residence. We held the election there as a matter of favor to Mrs. Chapman. The houses were easy of access to each other. At the time the new judges were appointed I cannot say that there were any free State men on the ground that I knew. Mr. Pultz announced to the crowd who the judges were whom he had appointed, and asked if they were all satisfied with them, and I heard no dissenting voice. Everything the whole day was carried on quietly and peaceably, no threats or resistance of any kind were shown in regard to voting, and all had an opportunity to vote their sentiments without molestation. Mr. Mockbee was residing at that time, as he had been for several months previous, at Willow Springs, about six miles from the place of voting. I had been at his residence at Willow Springs. I knew him to be a citizen of the Territory at that time, and not a citizen of Missouri. I had not been in the fourth district for some time until about a week before the election, and I visited most of the settlement in that district during that week. My own party were of the opinion that the pro-slavery party were much the strongest. I did not visit the free State party but little. I was informed by some of them that they thought they had the majority in the district.

I had no information in regard to the strength of parties in that district except what I got that week. Soon after the polls were opened, about ten or twelve of the free State party I was acquainted with came up to the polls, and I think two of them voted. They then went off and consulted together, and came back and said that these were not the judges appointed by the governor, and they were not going to vote. They went off some hundred yards from the polls, and were joined by others of the free State party, and remained there for some time. I sent three messages to them, requesting them to come up and vote, explaining that the election was conducted according to the governor's proclamation, and that I wished each party to have a fair show.

I am acquainted with Mr. Javens, and was before he moved from Missouri into the Territory. I was acquainted with his reputation for truth among his neighbors, and it was not good. I would not believe him under oath. I did not see him at the place of election during that day, and am confident he was not there, as I did not see him.

To Mr. Sherman:

I voted at that election.

A. J. JOHNSON.

WESTPORT, MISSOURI, June 5, 1856.

B. S. KEZER called and sworn.

To Mr. King:

I lived in the fourth district on the 30th of March, 1855, and also before that time, living on my claim there.

I was present at the election of that day at the house of Dr. Chapman, in Willow Springs precinct. To the best of my information, the understanding with the judges of election was that, as Dr. Chapman's family were sick, they would hold their election in another house on his claim and belonging to him, he having requested them to do so.

I heard no objection from any one as to the propriety of that being done. I saw nothing that day that indicated any disposition, on the part of any one, to prevent any one from voting according to his sentiments.

I believe that, according to the time pieces there, the polls were opened at the time fixed by the proclamation of the governor. I was occasionally at the polls during the day. I do not recollect, particularly, of hearing the judges swear any voters that day, or that any one challenged the voters, for I was not immediately at the polls, but generally among the crowd. Thomas Mockbee was one of the judges of election who served.

All the judges did not appear at the time of opening the polls, and as one of the judges was lacking he was appointed by the voters present, according to instructions. As far as I recollect one of the judges was elected by the people, but I do not recollect who it was. Mr. Mockbee lived at Willow Springs and was doing business there at that time, and I never heard any one dispute his residence there in that district. I knew he lived there myself, and I was acquainted with him. I saw numbers of persons there I was not acquainted with. I saw none I knew to be illegal voters give their votes that day. I saw some who said they had come to the Territory to live and they voted. I am not acquainted with the relative strength of the pro-slavery or free State parties in that district. I saw no hindrance and heard no threats against any man coming up to vote who desired to do so.

Cross-examined by Mr. Sherman:

I moved into that district some time previous to the election, I think the fall of 1854. I occasionally live there now, as I still hold my claim and have improvements upon it, and have a family living there.

My business calls me away a good deal. I have no family. I heard Mrs. Chapman complain of being unwell that day.

Mr. Mockbee lives directly on the Santa Fé road. I think he lived at that time on the north side of the road. I do not know whether he had his family there or not, or whether or not he had a store in the State. I know he lived there himself, and I have called there to see him. It was proposed on the morning of election, after a person was nominated to be judge of election, to put the motion to the crowd. I put the vote as to whether they were satisfied or not, and they answered "aye."

I did this that all should be satisfied. I do not recollect of any

announcement being made beforehand as to who should be selected in the place of the judge who was absent. There were a great many there who were strangers to me, and I do not know where they were from. There were two or three that went with me, and who had been living in Missouri, and expected to, and thought it likely they would, make Kansas their home. I did not see them vote, but they said they voted. The other strangers I do not know where they lived. I did not know all who lived in the district.

B. S. KEZER.

WESTPORT, MISSOURI, *June 3, 1856.*

FIFTH DISTRICT.—*Bull creek, Pottawatomie, Big Sugar, Little Sugar.*

Dr. B. C. WESTFALL called and sworn.

I moved into the Territory about the 5th of January, 1856, from Missouri. I had resided for three years previous at New Santa Fé, Jackson county, immediately on the Missouri line, within ten feet of it. •Some few days prior to the 30th of March, 1855, companies were organized to go over the Territory to various places to vote, and some of my neighbors prevailed upon me to go with them to Bull creek, at Baptiste Peoria, in the fifth district. We went out on the 29th of March, probably thirty in the company I was with, and when we got to Bull creek we found two encampments near there; the one that I camped in was principally from Jackson county and near the place of election, and the other was about a mile off, and those there were principally from Cass county, but some from Lafayette. I knew personally a great many of them, perhaps half of them, as I had lived in Cass, Jackson, and Johnson counties for the ten years previous. The evening we arrived there Mr. Park, from Kentucky, and Mr. Payne, from Missouri, claiming to be two judges appointed by Governor Reeder, came to me and told me that the third judge the governor had appointed would not be at the election, and requested me to act as judge with them, as they had the appointment of judge in the absence of the other. I told them I would serve. About ten o'clock, when the most of us had retired to our tents, Judge Hamilton, one of the members of the county court for Cass county, Missouri, came in from Pottawatomie precinct, and woke us all up and told us there was not a sufficient number of men down at Pottawatomie to carry the day, and requested us to send about sixty more down there if we could. A portion of our company went with him to that precinct, about sixteen miles from our camp. In the morning those who remained came to the house where the election was to be held. We judges convened and opened the polls. I asked the other two judges what we would do with regard to all the voters from Missouri, and whether or not

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we could reconcile that with the oath prescribed by the governor. They stated we were not to be sworn. We opened the polls and they commenced voting. I think there were three hundred in the company but I do not know how many voted. I think nine-tenths or more of those who voted were residents of Missouri, as there were but few settlers in that precinct at that time. The judges were not sworn. We closed the polls and went to making out the returns, and the magistrate, or one who called himself a magistrate, certified to the governor that he had sworn the judges. One gentleman by the name of Samuel Wade, near New Santa Fe, called out his name and we took it down. Shortly after he voted he came back and called out Jim Wade's name, and I am pretty confident that was taken down. Jim Wade was a son of the old gentleman, some nine or ten years old at that time. I asked Mr. Wade afterwards why he had called out Jimmy's name as a voter, and he said he had made him a claim on Bull creek, adjoining his own, and he expected Jimmy would become a resident of the Territory and a voter. The returns were then made out and sent to Governor Reeder. The men who went out were all heavily armed, and asserted that if they were prevented from voting they would assert their rights and vote anyhow. The party left for Missouri, a few the evening of the election, but the main body of them the next morning. They voted for Mr. Lykins for council, and Colonel Coffee for council, also; Henry Younger, who lives in Jackson county, Missouri, Mr. Haskell, Mr. Wilkinson, and Scott, for the lower house. Mr. Lykins lived near Peoria, Missouri, at that time. Colonel Coffee did not have his family on Bull creek at that time, though he has them there now. I understood there that his family at that time were in Bates county, Missouri. Mr. Wilkinson resided in the district. I do not know anything about Scott. Mr. Haskell, I think, was a citizen of the district at that time. I had been acquainted with him for some time. He had left Missouri then, and I had understood he was in that district keeping a trading house. Henry Younger is a man of considerable wealth and has much land and many slaves in Jackson county, Missouri. I have known him since the fall of 1847, and he resided near Independence at that time. I do not know that he had moved into the Territory, and I do not think he has ever changed his residence since I knew him. I think he has never taken his family into the Territory, as I never heard of any such thing, and I am, in fact, certain that he has never brought them out to the Territory to live any length of time.

To Mr. Sherman:

I do not recollect of any double voting on that day except that man who voted for his son. I do not know how many had gone to Pottawatomie. I was told by Payne and Park that they had been appointed by the governor, but I do not know for myself how it was. No one took command of our company at Bull creek. They generally went in small bands of twenty or thirty.

To Mr. Howard:

I live in the fourth district now. I think I saw five hundred in

the two camps from Missouri, including those who went to Pottawatomie. I saw a great many who told me they went directly to Pottawatomie and voted there.

B. C. WESTFALL.

LAWRENCE, K. T., *May 8, 1856.*

B. C. WESTFALL recalled.

I find upon the poll books some memoranda under the names of several persons—"rejected, refusing to swear." This was all got up for effect, as some free State men were looking on. It was all understood between the voters and the judges. When one of them would come to the window the judge would say, "I think you live in Missouri, do you not?" To which the man would reply, "I have a claim in the Territory." The judge would ask them if they would be sworn that they were residents of the Territory, at which they would pretend to get angry and threaten to whip the judges, and refused to be sworn. The matter, however, was all arranged beforehand. No one was sworn that day.

B. C. WESTFALL.

LAWRENCE, K. T., *May 9, 1856.*

JESSE W. WILSON called and sworn.

I came into the Territory the 26th of August, 1854, in the fifth district, and in the Bull creek precinct. I moved there from Missouri, Jackson county. I am well acquainted in the fifth district, and was one of the first settlers there. I think there was but one white family there before within ten miles of where I live. I was at the election of the 30th of March, 1855. I reached the polls about ten o'clock, having walked about ten miles to get there. I saw a great many men when I got there, and I should suppose that there were not less than 200 men there non-residents; some I was acquainted with, and some I was not. I conversed with a great many of them, and they told me they were from Missouri. I was acquainted, among the rest, with Mr. Samuel Wade, Mr. Kauffman, and two sons-in-law of Wade, all from Jackson county, Missouri, where I was personally acquainted with them. They said they were coming here to vote, and that they came to retaliate on the eastern Aid Society, who were sending out paupers here to vote; and they were going to poll as many votes as these paupers, and perhaps more. I do not know of any in our district who came out here under the auspices of the Aid Society. Our settlers were from Missouri, Illinois, Indiana, Kentucky, and other western States, I think. Those persons I talked with said it was their intention to make Kansas a slave State. They said they had voted, though I did not see them vote. These non-residents were armed with revolvers and Bowie knives, shot guns and muskets; and, as the saying

is, were armed to the teeth. I saw no disturbance created while I was there. I do not suppose I saw more than twelve or fifteen men that I knew to be settlers in our precinct, and I think they all voted. The people of our neighborhood, as near as I can judge from conversation with many of them, were in favor of making Kansas a free State. In my judgment, if none but the settlers had voted that day, the free State candidates would have had a good majority in the precinct. I do not know of Mr. Younger ever living in the Territory, or of any property or claim he has ever had in the Territory. Doctor Westfall, one of the judges of the election, with whom I am personally acquainted, was a resident of the State of Missouri at that time. I have examined, with Mr. Gearhart, the poll books for the 30th of March, 1855, and we can find the names of but thirteen that we know to have been residents of that precinct at that time. From our acquaintance with the district, I am satisfied that if any other residents had voted we should have known it. The names of these thirteen residents are stated in Mr. Gearhart's testimony. I am acquainted with Samuel Wade, and know that he voted for his son, James Wade, a boy about ten years old at that time.

J. W. WILSON.

LAWRENCE, K. T., *May 9, 1856.*

JOSEPH M. GEARHART called and sworn.

I came into the Territory in November, 1854, from Missouri, and settled on the Marais des Cygnes river, in the fifth district, in Bull Creek precinct, and have lived in that district ever since. I was at the election of March 30, 1855. I reached the polls about 10 or 11 o'clock. I saw a great many strangers there, and some I knew, from the State of Missouri, with Joseph Christopher, Jack Yocum, James Yocum, and others. These men lived in Cass county, Missouri, and told me they came there to vote; but I did not see them vote. Most of the strangers to the district had shot guns and other arms. I rode through the camp going to the polls, but stopped on going back after the election at Lug Freeman's camp. I should reckon there were 200 persons there I did not know. I am acquainted with pretty near every man in the district, and was one of the first settlers in it. The district at that time was rather thinly settled. In the Bull Creek precinct at that time I think there could not have been more than fifty voters. There were some settlers on Bull Creek higher up I was not well acquainted with; some of them were there. But I do not think there were ten from our neighborhood that were there. I heard before I started that men from Missouri were there; and I heard before I left Missouri that men from Missouri were coming over to vote; and as I was passing backwards and forwards for provisions, some of these same men told me they were coming over to vote. I think I was once in the State a month or so before the election, and some of these men then told me they intended to come over and vote, as they had claims in the Territory. I voted that day. I staid at the polls some two or

three hours. There appeared to be some difficulty, and considerable noise and cursing. I did not myself see any of the Missourians vote, though they said they voted. I do not know exactly, but I think Dr. Westfall, one of the judges at that election, lived in Missouri. Mr. Younger, a candidate elected for representative, was a resident of Missouri, where I have seen his farm and house. I saw him once in the Territory before this election, at a meeting at Dutch Henry's for the purpose of nominating candidates for the legislature. Mr. Younger made a speech, saying that he thought Missourians had a right to come here and vote. He was a pro-slavery man. A Mr. Fox got up and contradicted him, saying that he thought the men who came here and smote down the trees and made the paths were the ones to vote. Fox was a candidate of the free soil party. This was a few days before the election.

No nominations were made that day by the pro-slavery party. I do not know where Younger and other pro-slavery men were nominated. I never heard of their being nominated by any public meeting in the Territory. Lykins and Coffee, for council, and Scott, Younger, Wilkinson, and Haskell, for representatives, were voted for by the Missourians that day. Younger's house and farm is this side of Independence. I have passed it twice. I do not think he has any claim in the Territory now, though at the time of the election he said he had a claim on Sugar creek. I never heard that his family ever lived in the Territory. Some of the citizens remained away from the polls, but I do not know whether it was from fear or not.

I have carefully examined the poll books in connexion with Mr. Wilson, and I can find but the following names on the list of residents of this district, that I know to have been residents at that time: Barnet Hall, James Shaw, David Lykins, James D. Reid, John Vanhorn, Isaac Jacob, Harrison Standiford, J. M. Marshall, Joseph M. Gearhart, J. W. Wilson, Linge Ferris, and Mr. Linden; 13 in all.

JOS. M. GEARHART.

LAWRENCE, K. T., *May 9, 1856.*

WILLIAM CHESNUT called and sworn.

I moved into the Territory on October 23, 1854, and settled at Ossawatimie, in the fifth district, and have resided there ever since. I am a farmer. I came from Connecticut. I was at the election of March 30, 1855. I was appointed by Governor Reeder as one of the judges of the election at Pottawatomie precinct. I got there about eight o'clock, or a little after, in the morning of the election. The other two judges, except Wilkinson, who was a candidate, and therefore unqualified, were not there. I claimed the privilege of appointing two to fill the vacancies, when a stranger came forward and told me he was from Missouri. He was armed with a revolver and a knife, and had a rifle in his hand. He told me his party would appoint the judges. I remonstrated with him, and named two persons for judges that I thought were qualified. He told me that if I made any trouble

with them they would dispose of me with very little ceremony. He then asked with a kind of sneer in what manner I would like to have the election conducted, and I said, in conformity with the instructions contained in the governor's proclamation. He said the governor had no right to impose such conditions and restrictions upon them; that their being there that day constituted them legal voters; that they had come on purpose to vote, and I could see they had come well prepared, and would vote, let the consequences be what they might. I insisted that as I had been appointed I would preside, and if I had not the power to prevent fraudulent voting, I would at least be a witness as to the manner in which they did it. He said if I insisted upon it, it would be at my own peril. A few minutes after he came to me, and said he thought the better way to avoid difficulty would be to allow their people to vote without asking them any questions, or requiring them to swear they were residents. He said there was a large party from Boston on the creek above, who came on purpose to vote, and his people had been holding a consultation and had come to the conclusion that the best way was to allow our people to vote without asking any questions, if we would extend the same privilege to their people. I refused to consent to any such arrangement, when, without any further ceremony, they appointed two individuals to preside as judges, one of whom I have since learned was a resident of Clay county, Missouri, and, I think, was named Wear. The other was named Fergusson, and was a resident of Bull Creek precinct, and not entitled to vote at Pottawatomie, though he said he had his washing done there and was, therefore, a voter.

One of the clerks was Barnaby. I insisted on taking down a list of the names, and acted as clerk also. They then declared the polls opened and commenced to take votes, which were handed as fast as we could take them. Over four-fifths of the votes were handed in by armed men, strangers to me. I knew at that time most every legal voter in the precinct. I objected to several when they offered to vote, believing they were not legal voters, and the other two that acted as judges would immediately take the ballot and put it in the ballot box, without taking any notice at all of my remonstrance, except to say, by way of reply, that they knew the gentleman, that he lived up the creek and had a claim there.

We were kept pretty busy taking votes until about noon, when one of the judges, Mr. Wear, I suppose, though I did not know him then, proposed to adjourn for about an hour for dinner. He then picked up the ballot box, saying he would take care of it, took it under his arm and walked out with it. I followed him, and a short time after he got out he stepped up to Mr. Fergusson and told him Mr. Wilkinson had invited them down to his house to dinner. Wilkinson was one of the pro-slavery candidates. I told them, as I was very well acquainted with Mr. Wilkinson, I would go down too, determined to keep in sight of the ballot box. We went down through their camp to Mr. Wilkinson's house. They were encamped on both sides of the road, some in tents, and more in wagons; and the men were there lying around on the ground in groups, some under the influence of liquor, and all armed, generally with knives, revolvers, and rifles.

When we came in sight of Mr. Wilkinson's house, the one who had the ballot box turned round and looked at it for a moment, and finally said: "I believe we wont go down there." He then turned and came back to Henry Sherman's house, where the meeting was held. Shortly after one o'clock we again commenced to take votes, and kept the polls open until sundown, though we did not take very many in the afternoon.

We then counted over the votes. The tally list was presented to each of the judges, with the request to sign it as being a correct return of the legal voters in that precinct. When they handed it to me for my signature, I remarked that I could not consistently put my name to it, because in doing so I would commit perjury. The house was immediately filled with as many armed men as could stand on the floor. Until then they had all kept outside. General Coffee, candidate for councilman, was among the crowd, and another person I think they called Anderson, from Missouri. They both addressed the crowd. General Coffee stated that he admitted that it was very aggravating for a public officer to refuse to do his evident duty, but still he hoped there would be no bloodshed, nor personal violence used, on that occasion. After he got through, he came to me and remarked that he thought the best way was to put my name to it, it would look better in the eyes of the public, and there was no use in my making any trouble about it. I told him that I had said I could not do it, and had given my reasons, and I would not do it. I said I knew I was entirely at their mercy, and they might keep me there until midnight if they saw fit, but I would not testify that that was a correct return of the legal voters, when I knew it was very far from it. The judges then said they did not see much use in saying any more on the subject, as they thought they could make it answer without my name. I then got up and came out of the house. On my way home, when I had got about fifty or sixty rods from Mr. Sherman's house, a party of armed strangers, who stood at a distance of probably fifty rods from me, discharged a number of rifles. They called names, and hooted and yelled as long as we remained in sight or hearing. I then proceeded home.

Those strangers voted for Lykins and Coffee for councilmen. I am pretty confident Coffee did not live in the district at that time. It was generally understood that he lived in Missouri. They voted for Younger, Wilkinson, Haskell, and Scott, for representatives. I was not acquainted with any of the candidates but Wilkinson. I should think there were not over fifty or sixty legal votes polled there; not over seventy-five, at all events. A good many residents I did not know by name, but by sight. From the information that I possessed at that time, and from watching the voting, I thought there were from one hundred and fifty to two hundred illegal votes polled at that election. I do not think there was one individual in the Boston company, the gentleman I have referred to spoke about, in the district. I think the most of the settlers were from Iowa. I do not know positively of any who came out under the auspices of any aid society except myself; and I came out under the auspices of the New York society, called the Kansas League. I paid my own expenses, and de-

rived no service from the society, except information about the best modes of getting here and the country here. They asked me no questions about my politics. At that time I think a decided majority of the residents were in favor of making Kansas a free State.

WILLIAM CHESNUT.

LAWRENCE, K. T., *May 9, 1856.*

JAMES M. ARTHUR called and sworn.

I moved my family into this Territory on the 7th of August, 1854, from Indiana, and settled in the fifth district, and have lived there ever since. I was in Big Sugar Creek precinct at the election of March 30, 1855. I was at the election. I was appointed one of the judges of election by the governor, and also Elisha Tucker and John E. Brown. We went on in the morning and opened the polls by swearing each other in, as there was no justice of the peace there. We took the oath as prescribed by the governor. About the time the polls were opened, a large number of strangers came into the yard and demanded to vote. I wanted to swear them as to whether they were residents or not, and they refused to swear. Mr. Brown, one of the judges, told me then, I must take their votes or resign. I asked Mr. Tucker, the other judge, what should be done, and he said he considered them legal voters, without swearing or asking them any questions. I thereupon resigned. Some eighteen or twenty votes had been given when I resigned. They appointed Hickman Smith in my place, and went on with the election. I heard no questions asked of any voter, whether he was a citizen or not, during the day. I think there was some eighty or ninety votes polled there, and I think there were not more than thirty-five or forty citizens there, and a great many of them did not vote. I was tolerably well acquainted in that precinct, as I had been riding around considerable in that precinct. Mr. Younger, who was elected to the legislature, was there, and voted. He never has been a resident of that district. He said he had a claim about three or four miles below where I lived, and built a little shanty there three or four days before the election; but he has never covered or floored it, and has never lived in it. I remained there until they had closed the polls, and had done counting the votes I saw the strangers have. They did not leave in a body, but went away at various times as they got done voting. I had conversation with them during the day, but principally at supper, with those who remained there. I had a long talk with Mr. Younger during the day. He said he had a right to vote there, as he had a claim. I had a conversation with several of the party, who said they were then living in Jackson county, Missouri; but they said they had claims in the Territory, and had a right to vote. A great many of them I have not seen back since. Mr. Younger said the Missourians had as much right to vote here as the Yankees had, of whom some four boat loads had landed a few days before, at Kansas City, Missouri. He said all who happened to be in the Territory on the day of election had a right to vote, according to Douglas' bill. To the best of my knowledge, the political opinion

of the precinct was greatly free State; a very decided majority of the whole district was free State, so far as I know anything about it. I have been in almost every neighborhood of the district, and have talked with all the prominent men about the matter, and I am satisfied that at that time a large majority of the district was free State. These strangers were armed. They came principally in wagons, some on horseback. One two-horse wagon was loaded with guns. I did not see anything else in it. They unloaded it in the yard and stacked their guns around a forked apple tree in the yard. They also had very large knives—a foot or more in length—that looked like they were home made. Some of them had pistols. I have examined the poll books of that precinct, and think the following list is the names of resident voters of Big Sugar precinct, fifth district, at the election of March 30, 1855:

- | | |
|-----------------------|-----------------------|
| 1. A. M. Smith, | 17. J. M. Hampton, |
| 2. L. B. Willson, | 18. Lewis Thompson, |
| 3. Reubin Noel, | 19. John B. Robinson, |
| 4. James E. Wadkins, | 20. Henry McKinney, |
| 5. Thomas Smith, | 21. Ransom Elliot, |
| 6. Henry Littlejohn, | 22. John Eliot, |
| 7. Silas Young, | 23. William M. Smith, |
| 8. William Cash, | 24. L. M. Eliot, |
| 9. John G. Robinson, | 25. J. W. Regan, |
| 10. James B. Fleming, | 26. John Wykle, |
| 11. James M. Freeman, | 27. Samuel Clark, |
| 12. D. P. Fleming, | 28. George Wykle, |
| 13. James M. Arthur, | 29. M. C. D. Osburn, |
| 14. R. M. Daniel, | 30. L. M. Love, |
| 15. Jonah Daniel, | 31. J. E. Brown, |
| 16. Allen Stewart, | 32. Elisha Tucker. |

Some of the above names may not have been residents at that time, but they are now.

JAMES M. ARTHUR.

LAWRENCE, K. T., *May 8, 1856.*

S. W. BOUTON called and sworn.

To Mr. Matthias:

I moved into the Territory in the month of May, 1854, and resided there until April 1855, in the fifth election district. I was at the election of the 30th of March, 1855, held at the house of William Stockton. The judges of election were David Finlay, William Stockton, and some one I did not know. I understood that those who served were those appointed by Governor Reeder.

There were something like one hundred votes cast, some sixty for the free State, and some forty for the pro-slavery ticket. I do not know of any one being there not entitled to vote, and the election was orderly and quiet.

S. W. BOUTON.

WESTPORT, MISSOURI, *June 3, 1856.*

SIXTH DISTRICT.—*Fort Scott.*

JOHN HAMILTON called and sworn.

I first came into the Territory in 1835, but I have been out and back at times. I came back last in March, 1855, and settled at Fort Scott, in the sixth election district. I emigrated from Pennsylvania to Missouri, and thence to the Territory.

I was present at the election of the 31st of March, 1855, at Fort Scott. William J. Godefroy, Mr. Ray, and William Painter, were the judges appointed by the governor. They served as judges. I went to the polls between nine and ten o'clock. There were strangers who had collected near the polls the day of election and the day before, from between one hundred and one hundred and fifty. They came from the direction of Missouri, and came in wagons and on horseback. Some encamped and some put up at public houses there. Some of these strangers I knew; C. L. Harris, Mr. S. H. Loring, Mr. Benjamin Richardson, Dr. Stone, and a great many more whose names I do not recollect. They lived in Bates county, Missouri. They were with the companies who came in. I conversed with some of them the evening before the election; they said they came there to vote, and seemed to think they had a perfect right to do so. They were armed generally with pistols. They said they came to vote; they did not say what their purpose in voting was. I cannot say certain that more than one of these men I knew voted, for I was not about the window much. Afterwards, Mr. Loring and Mr. Richardson, when the polls were closed, came to me and said they came to me as friends, to know if I intended to contest the election. I stated that if I had a majority of the legal votes in the district I should certainly contest it. They said if I did it would certainly be detrimental to the interests of myself and family. They said nothing further. The pro-slavery candidates for representatives were Mr. Williams and Mr. Anderson. William Margraves was an independent pro-slavery candidate. I was a free State candidate. William Barbee was the pro-slavery candidate for council, and had no opposition. The election was held in the house I occupy, and I was there at the opening of the polls, but was not present in the room of the judges, and cannot say whether or not they were sworn. William Barbee lived at that time in the town of Fort Scott. I do not know where Mr. Anderson lived at that time. He was staying in our district a few days before the election, and I presume was boarding there. I do not know where he came from to the district; I do not know where he lives now. I think he does not live at Fort Scott now, unless since I left, four days since. S. A. Williams lives now at the town of Fort Scott, but I do not know where he lived then, though he had been around Fort Scott some days before the election. He has a family, but I never saw them there before the election. I do not know when and where Mr. Williams and Mr. Anderson were

nominated. I learned, first, several days before the election, that they were candidates, but know nothing in regard to how they were brought out. Some of these strangers told me they had voted, but not all of them for whom; though some said they voted for me, but I supposed they were joking with me. There were persons coming into the district at different times. I am acquainted with a great many at different points in the district. The district was somewhat thinly settled. There was no town at Fort Scott at that time. It had been occupied as a fort, and citizens occupied the place merely by permission of the agent left in charge of the property, and stayed there. Some days after the election the property was sold. There was no disturbance at the polls. I do not know that any of the voters were sworn. I saw some votes handed in. I saw some strangers about the windows, but there was such a crowd there that I could not see what they were doing. I do not know whether or not any of the citizens who came in that day went away without voting. I had not canvassed the district. I believed that, at that time, a majority of the settlers of the district were in favor of a free State. I know of no double voting that day. I do not think the number of votes of that district was more than 125. I have carefully examined the poll lists of that election in our district of the 30th of March, and I have, as near as possible, selected from them the names of all those I knew to be resident voters at that time. After I had made that list, I compared the poll lists with the census roll. The census was taken by Mr. Barbee and his assistants. I have added the names taken from the census rolls of residents. I did not know who voted on the 30th of March, and I make 62 in all. This list includes the names of all I know to have been residents, and whose names I find on the poll books and the census. So far as I know, this would be a correct list of the legal voters at that election. To supply those I did not know, I examined the poll lists and census returns. There were many persons coming in at that time. In this list I have included Mr. Anderson and Mr. Williams, whom I did not believe to be citizens, though their names are on the census returns. The following is the list of names on the poll books and census roll of the Fort Scott, or sixth district, as I find them:

William Barbee, B. F. Wilkinson, R. Beth, William Breeze, L. S. Broyles, T. B. Arnott, A. P. F. Davis, W. F. Alexander, F. Dewint, John B. Smith, James Marr, Emery B. Cook, H. Watkins, E. Fly, John Guthree, William January, J. W. Sharp, Jerome Moody, A. Ward, S. Potter, Jesse Ray, John Crook, James H. Fleming, John B. Fleming, Michael McCann, Wm. Ray, Joseph Harrison, Thomas H. Fox, Wm. A. Randolph, H. Bledsoe, James Waldron, Daniel F. Burkhardt, Lewis Davis, L. Sharp, N. H. Bennett, John Graves, M. Dawson, Samuel Beaver, Samuel Moore, P. S. Moor, J. Field, John Culton, James Ray, Wm. J. Godfroy, D. Guthree, William Painter, P. D. Caning, J. C. Anderson, John Grant, Thomas Graves, Wm. Watkins, John Brown, Charles Milan, Thomas Summers, J. Jefries, J. W. Fly, William Musgrave, G. Wood, J. W. Arnott, Charles Hurd, H. S. Wilson, William Ewing.

In addition to those not on the foregoing list, are twelve names of

persons resident voters not on the census returns, and whom I know to have been residents:

J. N. Newnew, George W. Morris, J. M. Ward, T. Mathias, A. Snow, John January, H. Varbal, M. Sellers, J. T. Ray, F. F. York, Wm. Humphries.

I find no other names on the census book that are also on the poll list, except those I have given. The census list is alphabetically arranged; I took up the poll book name by name, and whenever I found a name on the poll book that was on the census list, I put it down in my list. I put on the list names I did not know, but I found their names both on the census and poll lists. I have also given the names of those I know to have been resident voters who were not on the census returns, but were on the poll lists.

Upon examining the poll books, I found the names of persons I know to be residents of Missouri at that time, the 30th of December, 1855. The following are their names:

G. Oldham, G. W. Oldham, P. Zeal, C. Mitchell, J. S. Mitchell, H. C. Weire, John Knight, G. T. Jones, G. L. Harris, N. Godefroy, E. Dean, Wm. March Banks, S. A. Williams, J. C. Anderson, Wm. D. Lynde, William Merick, J. M. Newman.

I do not know with regard to the other names I find there. There are names I am familiar with, but do not know the given names, and do not recollect to have seen them on the ground. I do not know where those live whose names I have not mentioned, and whom I find on the poll list.

Cross-examined by Joseph C. Anderson:

I understood the district at that time commenced in the channel of the Little Osage, and followed the stream up; and there was no district west of it in the Territory. It run to the southern boundary of the Territory; it was about seventy miles wide; it included the Indian lands and nations, and there was very little of it open to settlement. I had been in the Territory about twenty days before the election. I did not know the voters in the district, as I had not canvassed it; there might have been many men there, legal voters, I did not know; I would not say all the names I have not given were illegal voters. I heard no one say, as I recollect, what induced them to come there to vote. I should judge, of those I saw there that day, two thirds were armed. It is customary for citizens of the Territory to have arms. Those men generally had pistols. I was not induced to any course of conduct by any threats made towards me. I had repeatedly stated I should contest that election if I thought I had a majority of the legal votes there then. I did not contest it at that time, because there was not time enough to contest it; and I believed at the time a majority of the votes were against me. There were thirty-five votes counted out as given for me. I never have ascertained that I received a majority of the legal votes there; I do not know of any more. I knew men from Missouri who voted for me; two told me they had voted for me. I did not send to my friends in Missouri to come to that election, or intimate to them in any way that I should like to have them come. I do not know that Joseph C. An-

derson had not been in the district before I came there: I never had heard of his being here. I think the census was finished a few days after I came into the Territory. I find the name of Joseph C. Anderson on the census book, but do not know why it was placed there. The grounds of my belief that Anderson was not a citizen of the district, at the time of the election, were, that he left the next morning, and I did not see him until after the adjournment of the legislature. I do not know where Mr. Anderson was during that time. It was understood in the district that while Mr. Anderson was away he was in the legislature. I did not know that he had any other home at the time of the election but at Fort Scott.

I do not think Mr. Williams was a resident of Fort Scott at that time any more than was Mr. Anderson. Mr. Williams did not buy any property there, at the sale, that I know of, though I heard Mr. Wilson bid off a house for them together. Mr. Williams occupies that house now with his family, and has been residing there since the election, and is now probate judge of that county by appointment of the territorial legislature. The pro-slavery party was and are very favorable to the election of Mr. Anderson, so far as I have heard. There were many persons living in the houses at Fort Scott at the time of the election by permission of the agent. E. Oldham came the night before the election, and went back not long after the election. I do not recollect that I had any conversation with him, and do not know anything that would go to show he intended to live there. I do not know that there was any one frightened from the polls. So far as I know, the residents of the district who were there that day voted. I do not know how many of the residents were not there. There were people living there who had no horses and did not get to the polls, but were not prevented from going to the polls upon account of fear, I think. I do not know how many strangers voted and how many did not vote. No endeavors were made, to my knowledge, to prevent Mr. Loring from voting.

Question. Was it not the common rumor that there would be 500 men sent out by the Emigrant Aid Company to control the election at Fort Scott?

Answer. It was not a common rumor.

I was not round the polls all day. I lived in the house where the voting took place, I was at the polls several times, but not much. I was not prevented from going to the polls by threats. If I mistake not I voted for William Barbee for council, and Mr. Margraves for representative. I considered Barbee, from what he said to me, a free State man, until after the election. I was not aware of any caucus held by the free State party on the morning of the election at Fort Scott, to decide upon the question of bringing out a candidate against Barbee.

I never heard tell of the Mitchells coming to Fort Scott until after the sale, which took place on the 16th of April, 1855. They bought some property there, but did not move on it until some time afterwards that I know of. They are now residents of Fort Scott. It may have been that some of the names I say I am familiar with, but do not know the given names were legal votes. Some of the legal

voters in the district were not on the census book. I was not myself. There were a great many came into the district after the census and before the election, but I do not know where they came from.

By Mr. Sherman :

The following names in the list of sixty-two names are persons I did not know to be citizens, but whose names I found in both census returns and poll lists.

F. Dewint, James Marr, E. Fley, J. W. Sharp, S. Potter, John Crook, James H. and John B. Fleming, H. Bledsoe, James Waldron, D. F. Buckhardt, Lewis Davis, L. Sharp, John Graves, M. Dawson, J. Field, John Grant, Thomas Graves, Charles Milan, J. Jeffreys, J. W. Fley, and G. Wood.

By Mr. Anderson :

There are many settlements in the district I am not acquainted with.

JOHN HAMILTON.

LEAVENWORTH CITY, K. T., *May* 20, 1856.

EMERY B. COOK called and sworn.

I came into the Territory in March, 1854, and have resided near Fort Scott ever since. I came from Ohio and Missouri, and thence to the Territory. There were a few settlers at the Fort ; but none in my neighborhood when I came. I am a mason by occupation. I am tolerably well acquainted in the district ; and have been asked, and have gone, all over the neighborhood to house raisings. I should think there were about from seventy-five to one hundred and twenty-five voters in the district on the 30th of March, 1855. William Barbee took the census of the district, and subsequently he run for council. I was present at the election of the 30th of March. There were a great many strangers came there the day before election, and on the day of election. A great many came from the southern part of Missouri, where I did the most of my work as a mason. These men came the day before the election, in wagons, of four or five in company ; sometimes I counted as high as twelve in one wagon, and some as low as two or three. They had tents with them, and generally carried a demijohn, as I usually call a pistol. I did not know any of those in the wagons. Many came on horseback, on the day of election, whom I knew. Those in the wagons brought their own provisions, but no baggage, and no families, or signs of moving. I was at the polls before it was open. I saw a great many of these people around the polls ; and a great many of them said they were going to vote. Afterwards, one man came to me and told me he had voted, and wanted to know why I did not vote. I said I would vote when I got ready. There was a family of Houcks, from Cooper county there, as they said that they came to vote, and it seemed to be understood that the north was imposing on the south, and they were going to try to keep up with them. There was one or two persons there I had seen in Missouri, so as to know their names.

There was no claim that they resided in the district. I heard nothing said about the residences of the people there, except that the Houeks said they were from Cooper county. I saw these men walk up to the polls in bodies, generally, with tickets in their hands, though I did not see the votes actually given in. I thought at first that there were two hundred there; but, after some had gone off on horseback, I think there were but one hundred or one hundred and fifty. They were coming and going all day. Some who came in wagons left the day of election, and some the day after, going the main road to Missouri. The most of those who came in wagons came from towards Missouri up north. I voted that day. I think, as a general thing, the settlers did not vote that day. I had been watching for some fifteen or twenty I knew, and did not see them. I cannot say whether any there did not vote. I have looked over the poll book, in connexion with Mr. Hamilton, and we have drawn off a list we know to be legal voters; some few of them, such as we found on the poll books. He recognized some three or four names I did not, and I recognized two he did not. They are all put in the list. William Barbee was candidate for council in that district, and had no opposition. Mr. Anderson and Mr. Williams were the pro-slavery candidates, and Mr. Hamilton the free State candidate. Mr. Anderson was boarding in the district some week or two, electioneering around amongst us, but I did not consider him a resident. He left a short time after the election, and I think I did not see him any more until he came back from the territorial legislature in September last. There was a public pro-slavery dinner, as it was called, the Saturday before the election, last fall. I did not attend the dinner, though I had intended to go. I think I saw Mr. Anderson leave the next day after the election, and think I have not seen him there since. I do not know where he resides now. I was at the Fort the bigger part of the time last fall, and if he had been there between the two elections I should probably have seen him. I do not know anything about the residence of Mr. Williams at the time of the election, though he moved into the district with his family after he was elected. He was in the district himself some week or ten days before the election. He resides in the district with his family now. I do not know whether the persons named by Mr. Hamilton in the latter clause of his deposition were citizens or not; I do not know any such persons in the district. I think I know all the names, besides this latter clause, that he has furnished on his list, some forty-eight of them. I have heard his deposition; and so far as it relates to the lists and the persons named, I think he is right, from all I know of the district, and from my examination of the poll lists and census returns. I think there were about fifty who voted that day that I consider citizens at that time. What I mean by a citizen is one who makes his only home in the Territory, and without regard to the length of time.

Cross-examined by Mr. Anderson:

I know the various settlements in the district, but am not acquainted with them all. I am not well acquainted with the district far from home, but I am well acquainted within 10 or 12, or 15 miles of my

home, but not with everybody. I am not acquainted with Mr. Guthrie's nephews, the Floyds, though I am acquainted with the Guthries. I have, to the best of my knowledge, with Mr. Hamilton, prepared of all I knew to have been residents, but I will not say that is all. I was around the polls on the morning of the election and during the day. I saw no men hindered from voting and heard no threats made against free State men about voting. A good many free State men did not vote. Some two or three of the herdboys said they did not vote. They live about five, six, or seven miles above the Fort on the Marmitan. They had been living there some three or four weeks before the election. I saw no others there, that I recollect of, who said they did not vote. I never heard of any caucus of the free State party on the day of the election to decide upon the question of bringing out a candidate against Barbee. I know of a good many men of both parties who did not come to the election, as they told me. I think these strangers were armed more than was usual in this country. There were persons who came in from Missouri in the morning and went back in the afternoon. Some of them I knew to be from Missouri and to be living there at the time; about twenty I should say; I cannot name all, though I know where they lived. I can recollect A. G. Hay, John Hay, William Hay, William Lynd, James Brown, a Mr. Woods, another William Lynd, William Merrick, Elias Dean, James Logan, William Hereford, (I think,) William Miller, Jacob Miller, C. D. Ball, Dick Bond, N. Dodge, and Abraham Redfield. I do not know whether those men voted or not. I heard Logan and Dean say that it was right for every citizen of Missouri to vote. It was the general rumor of the Missourians that they ought to vote, because the north came flocking into the election and running out again. In the part of Missouri where I worked it was rumored that one part of the General Aid Society's emigrants were coming to this Territory to live and make this a free State, and another set coming in to vote and then go out again. I voted on the 30th of March, 1855. These strangers, generally, conducted themselves as well as people usually do at western elections. A man came and asked to see my ticket, I showed it to him and asked if it suited him. He said it did not. I asked him where he lived, he said down on the Marmitan, between Henry Barber's and the line, but I never saw the man there, though I have often been along there, and I think have seen every man along the line. It is customary for persons to live in temporary affairs, such as tents, when they first come to the Territory. I heard several of these strangers say they were citizens of the Territory, five or six of them, perhaps more. Some men living in the western part of the district, I understood, left on account of the Osage Indian difficulties, and the question of the New York reservation has prevented some two or three from settling there. I believe the strangers generally claimed that the citizens of Missouri had a right to vote if these northern emigrants did. There were many there in tents. These strangers, who were coming in and going from the election during the day, were from towards Missouri, and as I lived near the line I saw some of them go over into Missouri. Those who were in tents I do not know where they were from, though the Houcks told me the company in their wagons were from Missouri. I do not

know that Joseph C. Anderson was in the district before the census was taken, though he may have been. I go to Fort Scott about once a week during the winter. The first time I saw Mr. Anderson he was introduced to me as a candidate. I work a good deal in the southwestern part of Missouri, and Mr. Anderson could have been in the district between the election and close of the legislature and I not have known it. I heard one man from Missouri say he had voted for Mr. Hamilton, but I do not know of any who came over for that purpose.

By Mr. Sherman:

There was a rumor prevailing in the neighborhood of Fort Scott that there were many persons coming over from Missouri to vote, but I do not know that it was general, but in my neighborhood it was generally believed.

By Mr. Anderson:

We generally believed that they were going to vote for the Missouri party, as we called it, though some for Mr. Hamilton. I know the rumor prevailed by hearing some few men say that they were going to come over and vote.

E. P. COOK.

LEAVENWORTH CITY, K. T., *May* 21, 1856.

JOHN HAMILTON recalled.

By Mr. Sherman:

There was at Fort Scott, before the election, a general rumor that persons would come over from Missouri to vote on the 30th of March, 1855. That rumor extended so far as I had acquaintance. So far as I know, the rumor was generally credited. I do not know whether that rumor kept any one from the polls or not. There were settlers who were not there, but I cannot state why they did not come.

JOHN HAMILTON.

LEAVENWORTH CITY, K. T., *May* 21, 1856.

JOSEPH C. ANDERSON called and sworn.

To Mr. King:

I removed to the Territory, for the purpose of residing, in February, 1855, and settled at Fort Scott, in the sixth election district. I was a resident there on the 30th of March, 1855, was a candidate and elected as a member of the house of representatives. From my information, (and I tried to ascertain of the strength of parties in that district,) I was of opinion that there were upwards of two hundred men in the district favorable to me and my party, and not more than fifty on the free-State side. I heard one man I can name, who was from Missouri, say he had voted, but I did not see him vote. My

present impression is that I heard another Missourian say so. Mr. Loring was one of them. I tried to keep him from voting. I remarked to him, "Mr. Loring, you are not going to vote?" The object of my inquiry was dissuasive. I told him I did not want him to vote; that I did not want men known to be citizens of Missouri to vote there, for the reason that everybody was voting for me, and I did not want to have my election contested, or have any trouble about it. I told him that the free-State party had no confidence in their candidates, and would vote for me before they would vote for them, and that there were but few of them. I told him this because I really believed it. I used every argument to prevent him from voting that I could think of at the time. He said he came there to vote, and he was going to do it; that the abolitionists were shipping men from the east to vote, and he thought that the Missourians had a right to come there and vote too. In the course of the evening Mr. Loring told me he had voted. There were persons who were said to be Missourians who were there, but most of them were strangers to me. It was the current and credited rumor there that an armed body of abolitionists, emissaries of the Emigrant Aid Society, would be in Fort Scott on the day of election and control it. Many of those Missourians said they did not come to vote themselves, but to insure the people in that part of the Territory the right to elect their own candidates without interference, though they would vote if it became necessary to counteract this Emigrant Aid Society.

I do not think I had any competitor. Mr. Hamilton was an opposing candidate, but he told me he was not running against me, but against Williams. He said he could get as many votes from Missouri as I did, and that pro-slavery men from Missouri would vote for him, and he thought he and I would both be elected. He told me that five hundred eastern men would land at Kansas City and come down to Fort Scott at the election. He said this in the presence of Barbee, myself, and others. The Missourians, as they were said to be, said if those men did come, they would fight them, if necessary, as long as they could. Hamilton told me that his own political friends had voted against him, and he would give it up. It was the current report down there, and believed among those with whom I talked, that the free-State men knew when the election was to be ten days before the proclamation of the governor was issued. I talked with perhaps a dozen about it and we all believed it. I heard nothing about my having a right to a seat in the Kansas legislature because I was a citizen of Missouri until towards the close of the legislature, and I took it to be a jest, and so regarded it at the time. I heard nothing of the kind talked of seriously until after this committee came out here. So far as I talked with citizens of Missouri, and I talked with a good many of them, it was the expression of almost all of them that they would not object or interfere in having Kansas a free State, if it was made so by natural and uninfluenced emigration of people from the east or free States; but that they intended interfering if the eastern people resorted to abolition propagandism by organized societies, and that they would resist such interference as that if it produced civil war. That was the universal feeling, so far as I could learn it.

To Mr. Oliver:

I heard of the formation of the emigrant societies and of the landing of abolition emissaries here before I heard of any contemplated interference by people from Missouri.

JNO. C. ANDERSON.

WESTPORT, MISSOURI, *June 6, 1856.*

WILLIAM BARBEE called and sworn.

To Mr. King:

I reside at Fort Scott, in the sixth election district of the Territory, and have resided there since October, 1854. I was in the Territory in the July previous. I was at the election of the 30th of March, 1855, in that district, and was frequently about the polls, but not all the time. I think there was 350 votes polled that day, of which I received, as member of the council, 343 votes. I think the members of the lower house got all but thirty, or thereabouts. I was acquainted with the greater portion of the people of the district, having taken the census a short time before; and when I took the census I obtained the opinion of the people there on the question of slavery, as well as I could, and found in the fifth council, or sixth election district, a pro-slavery majority. I also took the census in the fifth election district, and, as far as I could estimate, I found the district to be pro-slavery by a small majority. I took the census in February, 1855. The winter was very dry that year, and emigration was very heavy in February and March, and many arrived after the census was taken and before the day of election. I think the pro-slavery party had an increased majority, at the time of the election, in the Fort Scott district, as nearly all the emigration after the census was taken to the time of election was pro-slavery. There were many persons at the polls, as that was the only voting place in the district. There were some Missourians present, but I do not recollect of any of them voting. Some of them did not offer to vote. There was something said about the floating vote that both parties had there, but I believe neither party insisted upon receiving any such votes. All the judges appointed by the governor served there that day, and I saw no trouble or difficulty. Mr. Hamilton, one of the free-State candidates, acknowledged after the election that he had been beaten by the votes of his own party, that is, a majority of the free-State men voted against him. He talked of contesting the election; but after examining the polls he gave it up, stating that his own friends had voted against him. Everything wound up peaceably and we had no difficulty there at all.

Joseph C. Anderson, elected to the lower house, came into the district before I had opened my books for the census, and I considered that as his home, and all considered him a citizen, so far as I heard. He proposed to go into partnership with me in the law; but we went into politics, both of us, and neither did anything about the law. Mr. Williams, also elected to the lower house, came into the district

without his family, from Polk county, Missouri. After Mr. Anderson came into the district I made a claim and had work done on it. He remained in the district until after the election, and then started after his family, and has been a resident of that district ever since.

Governor Reeder took me to be a free-State man, and requested me to hunt up suitable free-State men for judges of election, when I took the census, and said that he aimed to appoint two free soilers and one pro-slavery man for judges of election. He did do that in our district, and in those districts in which I took the census, which was over half of the Territory in extent, so far as he could.

[Governor King proposes to prove the same facts by this witness, substantially, that he offered to prove by Thomas Johnson, in reference to the conduct of Governor Reeder in calling the legislature together.

The majority of the committee overrule the testimony offered, Mr. Oliver dissenting, as in the case of Thomas Johnson.]

Cross-examined by Mr. Howard :

Governor Reeder took me to be a free-State man. I passed for a free-State man with him, and that was the way I got the appointment to take the census. I came into the Territory from Illinois, leaving my family in Kansas City about two months, while I was looking over the Territory. Governor Reeder aimed to appoint a majority of free-State men in the district in which I took the census, though he may have been mistaken in regard to some of the districts. I made my returns to Governor Reeder in just time before the election, some two weeks or so. I made my returns as quick as I could, but in extent of territory I had a very large district. When I made my returns Governor Reeder immediately wrote his proclamation for the press, and I took a copy or minute of it back with me. I think I made my returns the very day he wrote his proclamation. I think my district of taking the census embraced some seven miles more than half of the Territory. It run up to the south line of the Shawnee lands, and extended back to the Rocky Mountains; all that is now included in the counties of Lykins, Lynn, Bourbon, and all south and west of those counties, being Indian reservations a large portion.

To Mr. Sherman :

The settlements in the district I had to take the census of were confined in the counties of Franklin, Lykins, Lynn, and Bourbon, and some little settlements in Allen county. Governor Reeder wrote me a letter that my census books were ready, but it did not reach me until three weeks after it was written, and I did not get my books until after the others did. He spoke of the delay in receiving the returns, and called the election immediately after they were made, as soon as he could do so. I do not think he was to blame in not fixing the election earlier, after the taking the census.

To Mr. King :

I do not mean by this that Governor Reeder ought not to have taken the census earlier.

WILLIAM BARBEE.

WESTPORT, MISSOURI, *June 5, 1856.*

THOMAS B. ARNETT called and sworn.

To Mr. King :

I reside in Fort Scott and have resided there from before the passage of the Kansas-Nebraska bill. I am pretty well acquainted with the bounds of the sixth district as laid off by Governor Reeder. On the 30th of March, 1855, I was acquainted with a great many of the voters of that district. There was quite a flood of emigration of *bona fide* settlers coming into the district after the taking of the census up to the day of election. It was nearly a daily occurrence to have more or less come into the district. My opinion is that there were some 90, perhaps more, emigrants came in during that time. I kept a public house at Fort Scott, and had a good opportunity of seeing the emigrants who came in. I was present at the 30th of March election. I saw men parading around through the streets, but saw none about the polls. I saw nothing like an emigration of armed men. I saw no usurpation of the right of voting. There were men who came in from Missouri to vote, and the judges did not allow it. It was supposed that there were two hundred men who came in to vote, and were not allowed to vote, were expelled from voting. I know of no illegal voting. It was supposed that some two hundred voters came there who were not considered legal voters and were not allowed to vote. The prevailing understanding was that a fair vote of the Territory should be taken. I know of no citizen of the district that was prevented from voting, and I know of no attempt of the kind. I do not know of any one who did not vote from any expressed apprehension of fear or violence in any way. The polls were opened by the judges and kept open for every legal voter and citizen of the Territory to come and vote on his own will and pleasure. There were more free-soil votes given than I anticipated were in our district, there being some thirty odd in all given. The polls were kept open for them as well as for the pro-slavery party, and their votes were as amicably and justly received as from the pro-slavery party. The vote of the pro-slavery party was about as I anticipated it would be; not higher than I anticipated. My own opinion was that the pro-slavery party in that district was even higher than the vote showed they were on the day of election. I considered the majority at least *five to one*. I heard no complaints from free-State men on that day, that they had been prevented from voting, either free-State votes or candidates.

Cross-examined by Mr. Sherman :

The election was held in the hospital building at Fort Scott, in a room prepared for that purpose. I was engaged in my public house part of the day, and part of the day I was out mixing among the people. I was immediately at the polls some one or two dozen times during the day, though I did not make it my business to watch the polls. I do not think I heard the vote of any individual challenged that day. I do not recollect of it now. I do not think I heard the judges announce their opinion upon any question before them. I was not directly at the window, as it was pretty crowded. I was only about the polls a short time at any time I was up there. I understood from the non-

residents themselves that they did not vote. They were encamped down on the creek. I do not know how many told me they did not vote, but such was the general talk among the non-residents. I understood from them that they were *ineligible* to vote, and that was the reason they did not vote. They came to vote, I suppose, and that was their intention. I only heard such a rumor from them. The reasonable presumption is, that the judges deterred them from voting, but I do not know that myself. I do not recollect that they told me why they did not vote. I think some of them said there were votes enough there without their votes, any how. I have some slight acquaintance in Weston, Missouri. The persons in the camp came from various parts in the western part of Missouri, from Cass, Johnson, Lafayette, Cooper, and Howard counties. I know a gentleman by the name of Oldham, but I do not recollect his first name. The one I knew lived in Jackson county. There is an Oldham in our district, now a settler. He had a claim in the district at the time of the election, but his family was not with him. He was then preparing for his family, and shortly afterwards brought them there. I knew a Mr. Zeal living at that time in Bates county, but he had an improvement in the Territory, with his family in Bates county, and now is merchandizing in the Territory. I know some Mitchells who at that time lived in Vernon county, but they had claims in the Territory before the election, and were there themselves, but their families were not there. J. S. Mitchell and Carter Mitchell are now residents of Fort Scott. Carter Mitchell opened a claim and made improvements upon it, and sold it for \$800. He is now in Fort Scott. Joseph C. Anderson came in our place first during the latter part of February or the first of March. He boarded with me while he was there. He left very shortly after the election, either the first or second day after. He was a young man, without a family. I did not see him at Fort Scott again until the barbecue in September. He remained there but a short time after General Whitfield's election, and I have not seen him there since. When he first came to Fort Scott he made a claim and entered it upon our squatter's record, and that will show he had a claim.

To Mr. King :

I heard some several of these Missourians who expressed themselves willing to submit the case to the people of the Territory, providing that the Emigrant Aid Society would not interfere. They said there was such a flood of these emigrants coming in, they thought they had as good a right to come in and defend the rights of the people of the Territory as those eastern emigrants had to come in.

To Mr. Sherman :

I saw none of these eastern emigrants in our district at that time, and never knew of any of these emigrants who were shipped here being in our district since.

To Mr. King :

It seemed to be the motto of most all of the Missourians, that see-

ing none of the emigrant society voters there, who were not actual settlers of the country, they were disposed to stand off and take no part in the election.

THOMAS B. ARNETT.

WESTPORT, MISSOURI, *June 2, 1856.*

SAMUEL A. WILLIAMS called and sworn.

To Mr. King:

I reside now in Fort Scott, in Kansas Territory, in what was the 6th district, and have resided there since March 1, 1855. I was a candidate for representative to the legislature from that district. I was elected. I have resided there since that time. Joseph C. Anderson was in the district before I was. I was in the district there before Mr. Hamilton, the free-State candidate, was, and he was living there at the time of the election. I was considerably acquainted in that district. My opinion is that that election was a very fair one. I do not know of any illegal votes there that day. From the time I went into the district the emigration was very heavy from Arkansas, Missouri, and Texas, up to the time of the election, and settled on the Neosho and the streams in that neighborhood, and the district. At the time of that election I think the Pro-slavery party had a majority in that district. A good many free-State men were dissatisfied with their candidates, and many of them told me they voted for me and Mr. Anderson, and I wrote the tickets for some of them myself.

SAML. A. WILLIAMS.

WESTPORT, MISSOURI, *June 9, 1856.*

TESTIMONY AS TO ELECTION OF MARCH 30, 1855, IN THE SEVENTH DISTRICT.

J. B. TITUS called and sworn.

To Mr. Reeder :

I moved into the Territory, where I am now living, on the 1st day of October, in the year 1854, in the seventh district, and have resided there ever since. I was at home on the 30th of March, 1855. There was a large camp across the creek from my house, which I estimated to contain between two and three hundred. I was not at home the day previous to the election, but arrived the night previous, and found the camp there. I went into the camp the next morning ; I saw some three or four persons in the camp that I had seen in the district, and knew had claims there ; the balance were all strangers to me. They were armed—I think, all of them—some with one kind of arms, and some with another. I saw no flags or music along with them. I don't know where they got their provisions and fodder, but supposed they brought them with them, as I knew of no other way of their getting them. Some had tents, and some slept in their wagons. I had some conversation with them ; they said they were from Missouri, and had come out on purpose to vote. One man said they were disappointed, as they expected to find more Yankees there than there were, and allowed that they had more with them than was necessary to balance the vote. I do not recollect that I learned the names of any of those strangers. I saw a great many of them vote, and thought they all voted, as I was in or about the house all day. The election was held in my house. They went back east, on the Santa Fe road, in the direction of Missouri—some before the election was over, and the rest afterwards. I have seen none of those strangers in the district since, except a few passing through, freighting to the Grove. I have seen a few of them in Missouri since.

Cross-examined by Mr. Woodson:

In the conversation I had in camp, they intimated that a good many free-State people had come out to make Kansas a free State, and they came to overbalance that vote. That was the inducement they gave for coming. I came into the Territory from Iowa. I was well acquainted with the district at that time, as I was one of the first in it. I know the boundaries of the district, but do not recollect the number of miles across it. I think I knew all the residents at the time of election. There were not many came in there before the election, of actual settlers, though considerable came out some time before the election to look at the town site, and then returned before the election. The population was very sparse ; and I should think there were about twenty-five resident voters there at the time of election. I know of none who came into the district and voted and then returned, but Missourians. I know of none others who returned immediately after the election. I did not trouble myself much about the candidates at that time, as I was pretty neutral in politics. I may have known them, but do not recollect them now. The "110" settlement

is about eight or nine miles from our settlement, and the Wakarusa settlement is ten miles off. There were no other settlements in the district at that time.

To Mr. Sherman:

My occupation is blacksmithing. There is no other blacksmith-shop in the district, I think, but mine.

To Mr. Reeder:

There were about ten families in our settlement at the time of that election. There was but one family at "110," that I knew of then. The Wakarusa settlement was considerably smaller than ours then. The rest of the district, away from these three creeks, consisted mostly of high prairie, and was not then settled, and is not settled yet.

J. B. TITUS.

LAWRENCE, K. T., *April 30, 1856.*

MARCUS H. ROSE called and sworn.

To Mr. Reeder:

I came into the Territory about the 8th of November, 1854, from Mercer county, Pennsylvania, and settled about the 14th on Switzer creek, a branch of the Osage, in the seventh district, and have resided there ever since. I was at the election of the 30th of March, 1855, a short time. I did not intend to attend the election, seeing a company coming in on the day before. I saw, on the 29th, a large company coming in about ten o'clock in the morning. I was about starting for my cabin when they came in. My cabin is about three miles from there. I was then at Mr. Hoover's. I did not count them. They came in wagons and on horses and mules. I should suppose there were about fifty wagons, but do not know how many they contained. Some of the wagons had two horses and some four. I should judge there were from thirty to fifty horses and mules. They encamped a few rods from the house in which the election was to be held, in the timber on the claim of Mr. Prentiss. I passed on down home, after they had got into the timber and commenced chopping. I remained home until some time in the afternoon of the day of election. Mr. Stewart came after me. I declined coming up to the election, but went up with him when he stated that they intended controlling the election. When I reached the election-house there were quite a number around the house still voting. Others were going back the way they came. What I saw of these men were armed. I do not remember of seeing any flags. I was pretty well acquainted in my immediate vicinity, but not extensively in the district. I do not know how many voters there were in the district at that time. I do not know of any increase of settlers in the district between the taking of the census and the day of election, but rather a decrease, as some went away into other districts to work. Those men that came

there were strangers to me. I have seen none of the company there since. I had no conversation with them.

Cross-examined by Mr. Woodson :

I understood that Mr. Strickler for the council, and McGee for the assembly, were the candidates. Mr. Rice and Mr. Baker, I think, were candidates for the assembly. I do not know the politics of the candidates, except by report. I do not recollect the boundaries of the district. I do not know the comparative numbers in the district at the taking of the census and the time of election. My information was very limited. The decrease I spoke of was in my immediate settlement.

To Mr. Sherman :

I do not recollect who took the census, but think J. R. McClure was the name. I held the office of justice of the peace at the time of the election.

To Mr. Reeder :

J. R. McClure does not live in my district.

MARCUS H. ROSE.

LAWRENCE, K. T., *April 29, 1856.*

JAMES R. STEWART called and sworn.

To Mr. Reeder :

I came into the Territory about the 12th or 14th of November, 1854, from Pennsylvania, and settled in the seventh district, and have lived there ever since. There were a party of men in the district, that I saw shortly after they encamped. I talked with some of them, and ascertained where they were from. I had no personal acquaintance with them, but recognised one or two as citizens of Missouri, whom I had seen in Missouri. There were none in the company I recognised as citizens of the district. I first saw them in camp between 12 and 1 o'clock the day they arrived, as they were pitching their tents. This was on the 29th, the day previous to the election. I had conversation with some of them in their camp. I made inquiry of some of their young men where the party was from, and they said from Missouri. I asked what they came for, and they said to vote. I was down to the election quite early, but not to the immediate vicinity of the place where the polls were to be held, as I supposed they were not opened. All the judges were present, but two of them did not serve. I heard no reason why the two judges did not serve. The names of the two judges were Mr. Harvey and John W. Freel. Mr. Snider did serve. I do not know the others who did serve. They were strangers. I did not see them appointed, but saw them acting. The party from the encampment voted. They voted without being sworn. Some of the residents of the district voted, but not more than one-half of those who were there. The others did not, as they said it was of

no use. I was on the ground the principal part of the day. Their men had arms—shot-guns, &c. There were a number of them who wore badges, and seemed to be leaders. The order was to be peaceful, and create no disturbance, unless there was some resistance, on the part of the residents, to their voting. As I understood it, their badges were a blue ribbon, with a motto or something upon them, about six inches long, attached to their coats and vests. They supported H. J. Strickler for council, and M. W. McGee for assembly. M. W. McGee was in the district electioneering, but I do not know as he lived there. I saw him, three or four days after the election, at his house in Missouri. These men left the evening of the election. Some of them started on horseback, saying that they were going to some other point; I think it was Lawrence, as they said they could be there before night. They did not state, as I could hear, what they were going for. All of them left the camp that evening before sundown. Those who left first started in the direction they came, as did the others, as far as I could see. I have not recognised any of them there since. I think there was not much change in the population of the district between the taking of the census and the day of election. At that time the district was very thinly settled. I cannot tell how many families were in it. I do not know, exactly, how many votes were polled on that day.

Cross-examined by Mr. Woodson:

I was near the polls the greater portion of the day. I saw no violence. The free-State men were allowed to vote without interference, and some of them voted. In the conversation with some of the party, I did not hear any inducement for coming into the Territory to vote. One of the young men I was talking to said he thought the expedition would be of no consequence, as the election could not stand. I am not acquainted with all the boundaries of the district. I know every person for several miles around that vicinity, but not all the parts of the district. A number of persons came to that neighborhood for the purpose of settlement, and finding things different from what they expected, they went into Missouri, and did not return in time to be taken in the census. I think there were not as many persons in the district at the time of taking the census as before that. I think there were full as many at the time the census was taken, as at the time of the election. I was acquainted for several miles about our settlement. The district is, I think, twenty-four miles square. I know of but two other settlements in the district, and they were small. One of the settlements—"110"—is now no larger than it was then. I knew of no new settlements between the taking of the census and the day of the election. The candidates who were elected were Strickler for the council, and W. M. McGee for the assembly. Mr. Baker was a candidate in the seventh district. He nominated himself, and was a pro-slavery man, as was Mr. W. M. McGee. Mr. Johnson was, I think, the free-State candidate for the council, and Mr. Rice for the assembly. I never saw McGee in his home in the district. I do not know of McGee's residing in the district with his wife and servants.

To Mr. Reeder :

Those persons who made claims and went to Missouri were eastern folks, who went to Missouri to get employment through the winter. I do not think there were any of them in the company who came to the election. There is one settlement on Switzer, Dragoon, and Soldier creeks ; another on "110-mile" creek ; some on the Wakarusa. I am acquainted with two settlements ; well acquainted with the Switzer settlement, but not so well acquainted with the one on "110-mile" creek. These people did not come from the direction of the Wakarusa settlement or the opposite direction. The Wakarusa is, I think, pretty near due north from the place where the polls were held. They came from the east, on the Santa Fe road.

To the Committee, (Mr. Howard) :

The settlement at "110-mile" creek was east from where the polls were held, in the direction where this company came from. There might have been some from "110" with them, but it was a small settlement, and I know many there. I went into their camp before the election, just after they arrived, before they were done pitching their tents. They came in wagons, on horses, and mules. They returned east after the election was over. There were two or three hundred of them.

To Mr. Reeder :

They had their provisions and fodder along, as I supposed, and cooked their own meals and fed their own horses in camp. I think there were not so many at the time of the census as before. Some time before the census was taken, a large party, I should think from fifty to sixty, or seventy, came to Switzer's creek, and returned in the course of a week to several places, some to Missouri and some back east. They were all eastern folks. That is what I mean by there being more before the census than when it was taken. They came in November, and there was very little emigration after that. I think in January, 1856, there was but one family at "110-mile" creek, Mr. McGee's. Some time previous there were other families living there, but they had left. I do not think there were ten or a dozen families there. Perhaps there were that many men there.

To Mr. Whitfield :

It was in November, 1854, that this company of fifty or sixty came to Switzer's creek. They were organized as far as Kansas City, no farther. It was not particularly under the control of any one. A man named Albright assumed the leadership. I came in the same company. It was organized in Pennsylvania, and called the Pennsylvania Kansas Company. Loten Smith did not bring a company with him after I came ; but one or two came with him. He came out as the agent of the American Settlement Company. He made improvements there as the agent of that company. I had no connexion with Mr. Smith's company. The company with which I came disorganized at Kansas City and left for different parts of the Territory. The organi-

zation of the company was for the purpose of saving expenses in travelling.

To Mr. Howard :

The company disbanded in Kansas City about the 1st of November, and have never been organized again. Our only object in organizing was to save expenses.

To Mr. Oliver :

There were, I should think, two hundred in the company ; I should think one-fourth of the men had their wives with them. I left with them on the 29th of October, meeting them after they started. I know of no other object of the company but to settle in Kansas, and make money as individuals. There were arguments used in Pennsylvania to come here and make this a free State. We left before there was much excitement upon the subject. I have heard more of those arguments since I came here. As far as I know, the party were free-State men. We paid our own expenses. We contributed a dollar apiece to our agent, Mr. Albright, to go to Pittsburg to charter a boat for us. But each one paid his own expenses. Our agent came all the way through to Kansas with us.

To Mr. Whitfield :

We have no organization now. There is a plot of the town laid out under the agency of Mr. Smith, and belongs to the members of the American Settlement Company.

To Mr. Howard :

Some of our party are in the Territory, but I do not know how many.

To Mr. Oliver :

I came from Lawrence county, Pennsylvania. Most of the company assembled at Conneautville, Crawford county. I came through to Rochester on a canal-boat. I was not acquainted with Gov. Reeder in Pennsylvania.

To Mr. Reeder :

I never heard from any member of the company that Gov. Reeder had anything to do with the company. The most of the Pennsylvanians came from western Pennsylvania ; some from Alleghany county, Indiana county, but the most from Crawford county. Some of the company came from the State of Ohio. Mr. Albright, I think, settled at Fort Riley or Pawnee. This company, as I understood it, was nothing more than a set of individuals who agreed to go together for the purpose of getting out here as cheaply as possible, and it was not contemplated that we should be a company any farther than Kansas City ; that was where the boat we chartered was to take us to. Individuals in the company formed themselves into clubs or sub-divisions of the company on the way, whenever they could agree to go together. The company I speak of in connexion with our town, is the American Settlement Company of New York city. I do not know of any in our

company, or out of it, that came out here to vote, and then go back. I never heard of a pro-slavery man in Pennsylvania. The company got here at Kansas City on the 8th or 9th of November. They scattered to different points of the Territory, and many stopped in Missouri. Some few remained at our town after they arrived there, while the rest went away in about a week—went away before the election. All that did go back, but three or four, were gone before the fall election. These men came out to settle in the Territory.

To Mr. Oliver :

I have seen several editions of the circulars of the New York American Settlement Company, but they differ. I do not know the working of the company.

J. R. STEWART.

LAWRENCE, K. T., *April 29, 1856.*

MARCUS H. ROSE examined.

Q. Mr. Rose, have you examined and compared the census rolls and the poll-book of the election of the 30th of March, 1855, in the seventh district?

A. I have.

Q. How many votes are there on the census rolls?

A. Fifty-two.

Q. How many are on the poll-list of those on the census rolls?

A. Seventeen.

Q. About how many names are on the poll-list altogether?

A. Two hundred and thirty-four.

Q. What are the names of those seventeen you find on the census rolls?

A. David Condit, John W. Freel, Wm. Graham, W. Foster Harvey, Abraham Hoover, Joseph McIntyre, Thomas Russell, Mathias A. Reed, Ithiel Streit, James R. Stewart, William A. Stewart, John Smith, Loten Smith, Ely Snyder, J. B. Titus, Divilla Wright, and Henry Smith.

There are the names of eight legal voters on the poll-list that are not on the census returns, as follows : John Skidmore, Isaac Chatham, Charles A. Linkenanger, L. S. Axtill, William J. Tillinghast, Geo. W. Barnes, W. N. Haven, and H. Rice. Six of these persons were away who had been there before the census was taken, had made claims and built cabins. The other two were new comers.

Q. How many votes were polled at the first election, in November, 1854, according to the copy of the poll-book?

A. Six hundred and seven.

Q. From your acquaintance with the people, and the examination of the census roll, how many resident voters were there in your district at that time?

A. There might have been twenty-five or thirty, though I was not

much acquainted there. I have not examined the list of names on the poll-list of that election.

MARCUS H. ROSE.

LAWRENCE, K. T., *April 30, 1856.*

J. R. STEWART examined.

Q. Did you examine the census returns and poll-books with Mr. Rose?

A. I did. I aided in preparing the lists he has given.

Q. Have you heard his testimony read?

A. I have.

Q. State whether or not you concur with him in his testimony on those points.

A. I do.

J. R. STEWART.

LAWRENCE, K. T., *April 30, 1856.*

HALLOM RICE called and sworn.

I got to Switzer creek the day before the election of March, 1855, and have resided there ever since. I came from Kansas City, Missouri, to the Territory, and before that I was from Texas. It was after sundown when I arrived at Mr. Titus's with my family. I saw a camp across from his house in the Grove, but I did not go into it. I was only within about one hundred yards from the camp; there was, I should think, a space of ground about one hundred yards square covered with wagons and tents. I was at the polls the next day; I had some conversation with a gentleman who said he was one of the leading men there; I asked him what their business was there, and he said to vote; I asked their pretensions to vote there, and he said they had claims in the Territory; I asked him what the shooting was on the other side of the creek, and he said it was nothing but the boys shooting at a mark; I said that the women thought they were making rather too much noise, and he said he would vouch for their conduct. I live on the Dragoon creek, in the seventh district. After the election was over, I saw some of the party that encamped there start east, on the Sante Fe road, and I suppose all went that way.

Cross-examined by Mr. Woodson:

There were some coming in about the same time I did; the country appeared to be almost all on the wing. I did not know the actual settlers; I was told there were considerable many moving in; some half a dozen men came in with me. I was driving a team from Kansas City to Council Grove during the winter, and saw considerable many stirring in the district, but do not know how many settled there; I made a claim in the district the fall before.

To Mr. Howard :

I believe I voted that day ; I would not be positive about it ; there was a great deal of talk about the voting, and I believe I voted. Things did not go off to suit me, and I did not charge my mind with it.

To the committee :

I have no knowledge of any recent military organization in Kansas Territory.

HALLOM RICE.

LAWRENCE, K. T., *April 30, 1856.*

WILLIAM F. JOHNSON testifies :

The 29th of March, 1855, I received a letter from Topeka informing me that I had been renominated as a candidate for the legislature on the free-State ticket ; I sent word that I declined, and I went over to the seventh district. The election was held at Titus's. The night previous to the election, Nolan, of Jackson county, Missouri, came up to the house where I was, and invited me to go to the camp with him. I saw a great many there I was acquainted with ; I was there till a late hour that night, and conversed with a number there ; I returned to the camp in the morning. The camp had about two hundred in it, principally from Missouri ; a great many of those I had seen at " 110 " in November, 1854, were there. I asked Nolan why he came with them, and he said it was to keep the boys from doing some mischief, but did not intend to vote himself. They generally voted at that election, but were very peaceable and quiet. I saw nothing improper in the camp ; I was acquainted with rather more in that camp than in the one at " 110 ; " there were Squire Nolan, Squire Smith, Mr. ———, the old man, and the ———, and Nolan family generally, a young man named Johnson, and some of the Lees, Geo. W. Case, William Dawson, and others I do not recollect. They told me they came up to vote, and asked me if I was a candidate ; I told them I was put up, but had declined running. They came up to me with their bowie-knives and seemed to be pretty rabid, but Case and others I knew quieted them, and all went on quietly after that. At the polls they gave way and let a small company of settlers vote—about twenty-three of whom voted. The judges that had been appointed by the governor refused to serve, except Snider ; there were other judges appointed by the crowd in their places, but I did not know them.

Some few settlers from ———, that belonged in that district, went over there and voted. One old gentleman from Jackson county, who told me his name, but I forget it now, stated to a number of men living on Switzer's creek that he had no claim in the Territory, and did not

live there, and was paid a dollar a day for coming here, and he did that because it was better than staying at home doing nothing. He said he had voted; but I did not see him vote. After the polls closed they started off down the road towards Missouri. There was no disturbance during the day that I saw; they said their object in coming here to vote was to defeat the free-State party. All the objection they had to me was that I was inclined to be a free-State man. The Missourians voted for Mobillon McGee for representative, and Strickler for council.

Cross-examined by J. W. Whitfield:

I was the only candidate on the other side for council, and my business over there was to decline; but I believe I was voted for. I did not consider myself a candidate, and my understanding was that Strickler had no opposition. My principal reason for declining was that I was unwilling to run the risk of so unequal a contest, as I had heard that there were a great many coming up from Missouri. I had always held the same opinion in Missouri as in Kansas. Mr. Baker and some other one were running against Mr. McGee. I do not know what Mr. Baker's politics were.

W. F. JOHNSON.

LAWRENCE, K. T., *May 7, 1856.*

CHARLES A. LINKENANGER called and sworn.

To Mr. Scott:

I live on the Dragoon creek, south of the Santa Fé road, near what is called Council City, in the seventh election district. I went there in August, 1854, and have lived there ever since. At the election of March 30, 1855, I was in "110" precinct; the election was held at the house of Mr. J. B. Titus, at Switzer's creek. I was present at that election. The election was going on when I got there. There were a considerable number of persons there when I got there. I was very well acquainted in the Council City neighborhood. There were persons in the precinct I did not know. All that I knew of the persons that were there that day were residents of the district at that time; some three or four of each political party. The pro-slavery party were Strickler for council and McGee for representative. A man by the name of Baker, I think, was running against McGee, but I do not know what he was. I never had but little to say to persons in that district about their opinions upon the slavery question. I think Baker got some free-State votes. I do not know how many votes Baker got at that election, but I think it was a small number. I think the free-State men of the district were there, at that election, and voted. I saw no interference and heard no complaint by free-State men of interference by any one to prevent them from voting.

H. Rep. 200—17*

The election was quiet and peaceable while I was there. I voted there myself without any difficulty. Mr. McGee was a resident of that district at that time, and he went out there when I first did in 1854. He had a claim there and improvements upon it. I worked a good deal for McGee, who had a saw-mill there. He had a house there, and lived in it. I think that in the Council City neighborhood I was acquainted with some sixty or seventy men who had claims there, and buildings, and lived there at the time of the election. There was quite an emigration coming in there every day. A great many made claims and settled there that I knew nothing of until afterwards. The two creeks, Switzer and Dragoon, where the Santa Fé road crosses them, are about four miles apart, and the settlements on those two creeks comprised nearly all the settlers in the district, of whom I knew some sixty or seventy. There were considerable many came in during the month of March and settled around there who were strangers to me. I suppose some few persons from the district went into Missouri to spend the winter. I came back at different times, but I do not recollect of any one who did so between the 1st and 30th of March. Free-State men were coming in during the spring into the district, and considerable many of them in the month of March. Some of them did not stay but a short time after the election; I speak of men who came with the American Settlement Company, and had been sent by the Emigrant Aid Society. I had frequent conversations with those men. They did not speak particularly of what they came for, but of the way they were brought there, and expressed themselves very much dissatisfied with the men who had induced them to come. They said they were humbugged by men who had come on here before and had gone back and stated to them that they had picked out a place for a settlement and laid off a town, and that by buying stock they could come on and go to improving; that there was work to be had for mechanics, who were needed, and thus men were induced to come on with their tools, &c., and found that the representations to them were all false. There was one box of guns there, but what it was brought for I cannot say. The box was brought to Council City; they were revolving rifles, five or six shooters. The agent of this American Settlement Company, named Smith, took possession of these guns.

This American Settlement Company was composed of men from Pennsylvania, New York, and the New England States. They were free-State men. I think those guns are in Smith's possession yet; or, at all events, he had some last week, when a man got two of him. I do not know whether he has any left now or not. I think, at the time of the election of the 30th of March, there were perhaps thirty of these American Settlement people there. Three left shortly after the election. Those are all I know of leaving there. There are persons coming in and going out of the district belonging to this same company. Of the original thirty, I think all are there now except the three who left after the election, and some who are down here in the State now.

C. A. LINKENANGER.

WESTPORT, Mo., June 5, 1856

ANDREW JOHNSON called and sworn.

To Mr. King:

I was one of the judges of the 30th March, 1855, election in the seventh district in Kansas Territory. The polls were held at the house of Mr. B. Titus, in Council City, at the place designated by Governor Reeder in his proclamation. I was appointed a judge in place of Mr. John Freely, declining to serve because he could not sign his name. He was one of the judges appointed by the governor. Mr. Freely was considered a free-State man, though he voted for Mr. McGee. I refused to serve at first; but he, and the whole crowd, insisted that I should serve. I heard no design or wish expressed that I should be appointed so that all could vote who offered to vote. There was some talk there about the voting, and I told them if I undertook to be one of the judges there should be no illegal voting on either side, or I would not serve at all. I never saw the protest that was sent in in regard to our election, though I understood that one was sent in. *Eli Snider*, appointed by the governor, served as judge. Mr. Chidington served in place of one originally appointed, but who did not appear. Mr. Chidington and myself were appointed, according to the instructions of the governor, by the people present. I am not able to tell where Mr. Chidington lived, though he told me he had a claim near "110," and we considered him a resident of the district. I had lived in the district, at work on my claim, some two months prior to the election, and considered myself entitled to vote there, and did not consider that I had a right to vote anywhere else. No one disputed my right to vote there that I ever heard of. I told Governor Reeder, when I made my returns, how I came to be put in as one of the judges, and he said it was all right. There were Missourians there that day. I think likely I saw wagons and men there. I know that some four or five of the wagons had men who were taking their stock up to their claims, and stopped there at the election. One man had his family along with him. We swore one another in as judges, as there was no magistrate there. A number of persons offering to vote were challenged, and they were sworn. Right smart of them would not swear, and we would not take their votes, unless we knew ourselves or were satisfied persons were legal voters as they presented themselves. Some one of us administered the oath to those who would take it. I do not know of any free-State man who offered to vote and his vote was rejected. Mr. Smith, the leading man among the free-State men, said, in the evening, when the voting was dull, that he never knew an election that passed off so peaceably and harmlessly as that did; though he said he was afraid in the morning the excitement would terminate rather badly. I requested him to bring up all his friends and neighbors who wanted to vote, and have them vote. I know but little about the correctness of the census that was taken, for I paid but little attention to it, as I was busy about my claim. I am satisfied there were many there who were not included in the census, and I understood from my neighbors that the census taker did not go round much, but just kept the road.

I cannot say as to the strength of the parties in that district, nor whether the vote on the day of election was a fair test of the strength of parties or not.

Mobillon W. McGee was elected at that election a member of the House of Representatives.

Cross-examined by Mr. Howard :

I was not very well acquainted in the district at the time of election, or how many voters there were there. It was generally understood that the pro-slavery party had a majority there. The oath we prescribed to the men who offered to vote, and whom we decided to swear, I think I can recollect pretty nearly. The form of oath for the judges I did not feel willing to take, and did not take it, and objected on that ground to serving at first. We swore the voters whether they had a claim in Kansas Territory or not, and whether they had voted in any other district. That is about the way they were sworn, I think.

We would not swear, as judges, that we would live on our claims as long as we lived, which we thought was the effect of the one prescribed by the governor. We swore ourselves to take all legal votes and no illegal votes, as far as we knew, and to conduct the election legally as far as we knew.

I knew the people of four or five of these wagons, who stopped at the place of election, were taking their stock along to their claims. They settled in the seventh district, but lost their claims on account of being determined to be on the *Sac* lands when the survey was made.

I could not tell how many wagons there were there altogether. I had my own wagon there that morning. My claim was some fifteen miles northwest of Council City and of the Santa Fe road. I lost my claim by being on the *Sac* lands. When I came to the polls that morning I noticed several wagons there. There were people moving in, and some freighting out, and some may have been from Missouri for aught I know.

I do not think the census contained as many names as there were persons in the district making claims; I know of nearly fifty persons who moved in after the census, and before the election. I do not recollect the name of the man who took the census, though I have heard it.

There were some people encamped at the place on the day of election that I know to be non-residents, but I would not say there were ten who had no claims then in the district. There was a free-State man there who said he had no claim in the district, but intended to live there, and he said that he had a right to vote, and he voted.

As well as I can recollect there were twenty, perhaps over that number, of free-State voters there that day.

All the free-State men I saw there that day voted, and there was no obstruction or hindrance to any one voting, that I saw; and the election passed off quietly and peaceably.

To Mr. King :

Since giving the above testimony, I have heard the protest from one

district read. As one of the judges of election, I am willing and prepared to state, that there are many things in that protest in which those who signed it were mistaken. The judges were sworn, and any man whom we did not feel satisfied had a right to vote was sworn before we allowed him to vote; and if he would not swear, he was not allowed to vote. And, as a judge of election, I am willing now to swear that we allowed no man to vote that we did not consider had a right to vote. A great many of the people in that district whom we considered legal voters came to the polls in their wagons, I have no doubt, as I came there myself in my wagon. It is the habit of the people of the Territory to go to gatherings in their wagons.

To Mr. Howard :

If a man was making a claim for the purpose of going to live on it, and claimed his residence there, and had no other place of voting, we considered him entitled to vote.

I did not live on my claim myself, but was coming out of the Territory at the time of the election, when I stopped at the polls; and I considered I had a right to vote there, as I intended to live on my claim, having made improvements upon it.

I did not consider that I had any right to vote in the State from which I came.

ANDREW JOHNSON.

WESTPORT, Mo., *June 3, 1856.*

ABSALOM HOOVER called and sworn.

I arrived at Switzer's creek on the 14th of November, 1854, and settled there, and have resided there ever since. I came from Armstrong county, Pennsylvania. I was at Switzer's creek on the 30th of March, 1855. On the evening before the day of election there were quite a number of wagons, buggies, and men on horseback, came along the Santa Fé road, and pitched their tents near the house where the election was to be held. The next morning I went to the election pretty early before the polls were opened. Mr. Freel and Mr. Harvey, and another man I did not know, were appointed judges. Mr. Freel and Mr. Harvey did not serve as judges, but I cannot tell whether it was from fear or not. The company then elected a couple of their own number as judges, who then went on to receive votes. I staid there till they adjourned for dinner; I saw one of the men appointed as judge come out of the house with the ballot-box under his arm, and he carried it down to the camp. In the afternoon I went back to the polls and got acquainted with one of the men of the company, a Dutchman, like myself. After some little conversation he said to me, now let us go and vote; I said I was not quite ready. He said he would go; and he went and put in his ticket. After he had voted he came to me again, and I asked him whether he lived in the Territory or had a claim, and he said he did not. He also said they came out on a wild-geese chase, as he called it, to vote at the election. I

asked him his name and he told me, but I do not now remember it. After they had got through voting they all started back the way they came. I thought there were between two hundred and three hundred of them, but I did not count them. This company were all strangers to me. They had some tents with them, and some encamped in their wagons. They brought their tents, provisions, and fodder, along with them. I do not know where they got their tickets; I think I saw some tickets for Strickler and McGee, but I do not remember of seeing any before they came; I did not ask the man with whom I talked who he voted for. They came from the east, along the Santa Fé road. There were not a great many settlers in the district east of where the polls were held. I do not know how many families there were at "One Hundred and Ten-mile creek." I did not see any judges sworn at all, though I was about the house when the election was opened. I think the one I talked with said they came from Missouri.

Cross-examined by Mr. Woodson:

My information was got from the Dutchman with whom I talked. I came out from Pennsylvania in the same company with Mr. Stewart. My main object in coming here was to get me a home. I do not know what the main object of the company was; I do not know how the company was organized. Mr. Albright acted as leader of the company to get us out here as cheaply as possible. We had no articles of agreement; no written agreement or pledges, that I know of; no other object, particularly of the organization, except to come here and get homes. I never attended any of their meetings but one or two, and the most that was said was to come to Kansas and get us homes. I know of no resolution passed at their meetings.

To Mr. Reeder:

I do not know as this was an organized company at all, but a company of men coming together for the sake of cheapness. I never knew of any one having anything to do with our company except the men who came out that trip. I knew of no man in our company or out of it from the northern or eastern States coming here purposely to vote and go back; but there were others who went back after they voted, as they got sick and got tired of the country. I know two families of them who went back last fall.

ABSALOM HOOVER.

LAWRENCE, K. T., *April 29, 1856.*

IN THE NINTH, TENTH, ELEVENTH, AND TWELFTH DISTRICTS.

NINTH DISTRICT, at.....	<i>Pawnee.</i>
TENTH DISTRICT, at.....	{ <i>Big Blue.</i>
	{ <i>Rock Creek.</i>
ELEVENTH DISTRICT, at.....	<i>Marysville.</i>
TWELFTH DISTRICT, at.....	{ <i>St. Mary's.</i>
	{ <i>Silver Lake.</i>

ANDREW McCONNELL called and sworn.

To Mr. Scott :

I resided, on and prior to the 30th of March, 1855, at Pawnee, in this Territory. I came into the Territory in May, 1854, from New York. Mr. McClure hired myself and some fifteen or sixteen others to go to Pawnee to build a State-house. After I had been there a few days I left and went to Fort Riley, being discharged by McClure. While I was boarding at the house of Mr. Mobley, some six or eight eastern men came there to board, and others went to Pawnee, to the house of Mr. Knapp, where they formerly boarded. They said they were from Pennsylvania, and were going to stay until after the election, and then they were going home again. They said that letters that Reeder had sent to Pennsylvania had made false representations of the country, and they were going back after the election. This was about two weeks before the election ; and they said they had just arrived from Pennsylvania. There were some twelve or fifteen who came up in that party. I saw some four or five of them vote at Pawnee on the 30th of March, 1855. They said they had all voted the Free-soil ticket, and had fulfilled the contract on their part, and were going back to Pennsylvania. On the second or third day after the election they hired a man named Blacksley to take them to Kansas City, Missouri. They did not say what their contract was ; they said that they had come out under the auspices of the Emigrant Aid Society, and found that the country had been misrepresented to them, and they were going back. Mr. McClure took us all to Pawnee with him when we went to build the State-house. I heard him say that all the men he had brought up were good free-State men, who would vote the Free-soil ticket, and that they were the only kind he employed. I heard him state this to Merrick, the clerk of the sutler's store.

Cross-examined by Mr. Howard :

These men who came up to Pawnee said they had just come from Pennsylvania, and they reached Fort Riley nearly two weeks before the election. I was hired by McClure, and commenced to work on the State-house at Pawnee. I do not know how long the work was continued. I left in April. McClure discharged me, saying that they hired nothing but free-State men. There was no trouble, at the time I was there, about Pawnee being on the military reservation. These men from Pennsylvania said that this country and things here had been misrepresented to them, and they were going back. They said that they had come out under the auspices of the Emigrant Aid Society, and it had been misrepresented to them. These men were not among those hired to work on the State-house. There were some twelve or fifteen in number. I talked with some of them at different times, and I heard them as they came to where I was boarding. I do not recollect any of their names now. They hired Mr. Blacksley to carry them off after the election ; but I cannot say that they all went off with him. They said they were going back to Pennsylvania. I

bought two guns of them, as they said they were almost out of money. They seemed to be quite anxious to get back home. But speaking of the Emigrant Aid Society, and of the letters from Reeder to Pennsylvania which they said falsely represented things to them, they said they would fulfil their part of the contract, and then go back home. I cannot call to mind the names of any of these Pennsylvanians. They did not state particularly what Emigrant Aid Society they had reference to. I saw some five or six of these men vote; they voted the Free-soil ticket, directly contrary to what I voted, which was the pro-slavery ticket. They showed me their tickets at a grocery, and said that was the way they were going to vote; and we went from the grocery to the polls and voted. I do not recollect what part of Pennsylvania they were from, except that some two or three said they were from Bradford county. I do not know whether or not there was ever an Emigrant Aid Society in Pennsylvania, and I never heard any one else speak of one as being in Pennsylvania, except these men, whose names I cannot recollect. I think they were there, to the best of my knowledge, about a fortnight before the election. I got to Pawnee about the 1st of March, and they got there somewhere about the middle of March. Some of them were mechanics, and went to work on a house at Pawnee, which they said was for Reeder; the rest were idle.

ANDREW McCONNELL.

LEAVENWORTH CITY, K. T., *May 26, 1856.*

ROBERT WILSON called and sworn.

To Mr. Scott:

I resided at Fort Riley, in this district, on the 30th of March, 1855. I went there in May, 1853, and resided there from that time to this.

I was at the election in that district on the 30th of March, 1855, held at Pawnee, and I was one of the judges of election. Pawnee is about a mile from Fort Riley. Persons commenced pouring in from the eastern States about a week before the election, and continued to come in until the day of election. They all voted at that election, and voted the free-State ticket. A few of them had families, but most were single men. I cannot state how many there were of them, but I should think some sixty or seventy of them. I do not know of more than one or two of them that had families. They were all boarding at the hotel, or in camp or tents. Most of them left a few days after the election—some forty or fifty of them; they left, some the next day, and they were going for two or three weeks, until they were nearly all gone. Nearly all of those persons voted. Some men who came out with Mr. Sherwood, from Pennsylvania, he told me did not vote for fear of prejudicing the legislature against Pawnee. Most of these eastern men were from Pennsylvania, and a great many from Easton, Pennsylvania. I did not learn from them under what influence they came out here. I heard some of them say, when they left, that they were going back home. I had very little to say to them, and had very little conversation with them. I did not learn from

them that any persons or society paid their expenses but here to have them vote. I think Governor Reeder was one of the original stockholders in Pawnee, and I think owned some thirty-five or forty shares. I sold him about twenty, and he owned ten before that. Each original stockholder had ten shares, and there were twenty-six stockholders. Governor Reeder had a claim of about eighty acres near Pawnee, and was interested in one or two other claims. His nephew, Col. Hutter, had a claim near town. It was some time in February, 1855, that I first heard Governor Reeder speak about locating the capitol at Pawnee. I had heard that spoken of before then, but not by him. He spoke of it after he had become interested in the town, and the real estate near there. I do not think Governor Reeder had any interest in Mr. Dickinson's claim, though he was very anxious to get it. I heard Governor Reeder say that he thought Dickinson ought to be got away from there, as that was the key to the town. The association raised money to buy this Dickinson out. I understood Governor Reeder had offered \$1,200 for that claim, if it could not be got in any other way. Prior to the time that the seat of government was located at Pawnee, Governor Reeder tried to get an interest in real estate property about there, and made several claims for his friends in Pennsylvania. I do not know of any proposition made by Governor Reeder that the commander of the fort should take the Dickinson claim inside the military reservation, so as to get the Dickinsons off it, and then send a secret agent to Washington to get the reserve cut down, in order that the association might get the Dickinson claims. Governor Reeder said to me that we ought to sell shares to the members of the legislature for less than we would to other persons, so that the capitol might remain at Pawnee. I sold Judge Johnson five shares in that way, and with that understanding. I sold Governor Reeder some twenty shares, but I cannot say as it was with any such understanding as that. I did not sell many shares to members of the legislature. There were a good many shares sold by others. Pawnee is a little south of west from here, some 125 miles on the extreme western borders of the population of this Territory, and will not be in the centre of population unless we get a railroad. There are about three houses in Pawnee now; two are owned by me, and one by the association. Two of them are not occupied, and one is occupied by the chaplain of the military post there. I have a two-story stone building, 25 by 40, and the association has a two-story stone warehouse, about 100 by 90, with a cellar. The other is a little frame building. The house of the association has never been finished, and has no windows or doors in it; that is the house the legislature met in. Governor Reeder and myself were out riding one day, and he stated to me that he had understood that General Whitfield was trying to get a bill through Congress to give the legislature the power to fix the seat of government; and he thought he could head him off by letting out secretly contracts to build the State-house by citizens of Missouri, so as to quiet them. I do not know as I have letters from Governor Reeder in which he said he would maintain the seat of government at Pawnee under all circumstances. I have letters from him, in my possession, saying that he has learned that General Whitfield has introduced a bill in Con-

gress to give the legislature power to locate the seat of government; but that I need have no fears about the passage of that bill, but that I should go on and finish the warehouse and provide provisions for the legislature. I decline to produce those letters at present before the committee, until I get the consent of the gentleman to whom they were directed. Those letters are in reference to the interest of the company, and of Governor Reeder in maintaining the seat of government at Pawnee. I had no conversation with Governor Reeder in regard to the illegality of the legislature before they met at Pawnee; and I never heard him say that any member of the legislature was not legally elected prior to that time. I think I asked him after most of the members arrived if they would have a right to remove the seat of government by a two-thirds vote, and he responded they would. I do not know that he ever advised the stockholders, as a body, to secure the influence of at least one-third of the legislature in favor of keeping the seat of government at Pawnee; but he advised individuals to sell shares cheaper to members of the legislature than they would to others, for that purpose, and also said he would sell them that way himself; and he sold one to Mr. Marshall, of the lower house, considered very influential there. He sold him a share at two-thirds of what they would sell for there. I think Pawnee was an inconvenient out-of-the-way place for the legislature to meet at. I am acquainted with the handwriting of Governor Reeder. The letters shown me are his handwriting.

Cross-examined by Mr. Howard:

There were men coming in for a week before the 30th of March, 1855. Some few of them were employed, but the most of them were doing nothing, and I do not know as they sought occupation. There was pretty extensive building at the fort, but they had no lumber at Pawnee. Some few left the day after the election, but some few are there yet. Of those that left, none expressed themselves dissatisfied with the country. Sherwood told me his party did not. These sixty or seventy men were mostly from Pennsylvania. All that I knew, a good many of them were from Easton, Pennsylvania. It was sometime in August, 1855, and in a month or two after the legislature adjourned to Shawnee Mission. The Secretary of War declared Pawnee on the military reservation, and that very quickly destroyed the place.

ROBERT WILSON.

LEAVENWORTH CITY, K. T., *May 27, 1856.*

MARSHALL A. GARRETT called and sworn.

I came into the Territory in November, 1854, from Missouri, and settled on the Big Blue. I was one of the judges of election in the 10th district on the 30th of March, 1855. There were a party from Wyandott there, headed by Garrett and Walker; some eight or ten of them in the party who voted that day, and claimed to be entitled

to vote from having claims in the district. They were of the Wyandott tribe of Indians, and some of them were locating Wyandott floats, and others claimed to be in their employ. Some of them have, and some have not, lived there since.

M. A. GARRETT.

LAWRENCE, K. T., *May 9, 1856.*

JOSEPH STEWART called and sworn.

I came into the Territory in June, 1854, and settled on Big Blue, in the 10th district, in the Big Blue precinct. I was appointed by the governor one of the judges of election for the 30th of March, 1855. I came from Pennsylvania to Iowa, from Iowa to Missouri, and then here. I think some eleven or twelve came up, principally from the Wyandott nation, to our precinct and voted; some of them I did not know; the principal man among them was William Walker. He told me his home was in Wyandott city, and he calculated to return there. I told him I could not take his vote. The other two judges took his vote, and put it in the ballot-box. There was another gentleman by the name of Walker that was sworn, and in answering to the questions said he was a resident of the Territory; and when I wished to ask him further, he answered me that I had asked him all the leading ones, and a good many minor ones. I was not satisfied to receive the vote, but the other two judges took it and put it into the box. There were some eight or nine others who voted about in the same way, except that some answered all the questions satisfactorily. The next morning a part of this party left, going towards the Wyandott nation. The remainder of them left the second day, in the same direction. None of them have been back, to my knowledge, to claim any residence, except Russell Garrett, who was run as representative. He had a claim at that time there, and the party voted for him.

J. STEWART.

LAWRENCE, K. T., *May 8, 1856.*

W. J. OSBORN called and sworn.

To Governor King:

I was at the Big Blue precinct, twenty miles this side of Fort Riley, at the election of the 30th of March, 1855. After the nominations had been made up there for the legislature, I was sent to the lower part of the district with proclamations to inform the people who the nominees were, and on my return I fell in with some fourteen or fifteen gentlemen from or near Easton, Pennsylvania, who came out, they said, under the auspices of Governor Reeder. I saw eleven of them at the Big Blue precinct on the day of election. I challenged several of their votes. I was induced to do so from the remarks they made the previous evening, where I had staid all night with them the

night before the election. I was overruled, and they were allowed to vote. Those that I challenged were sworn as to their place of residence. I think about eleven of them voted. The balance of them went to Fort Riley. When I met them below they were very anxious to get to the Blue on the day of election. They stated that they were aware what day the election would take place before they left Pennsylvania. They informed me that they had been induced to come out here by Governor Reeder; that they had not found things as he represented; that they should return after they had voted; and it was upon this ground that I challenged their votes. I afterwards saw some of them on their return. I met them at the St. Mary's Mission, when they told me they were on their return home.

To Mr. Sherman :

I voted at the Big Blue precinct. My vote was challenged. I don't remember whether I was sworn or not. I was a resident of that precinct. The men I challenged were sworn, examined, and their answers being satisfactory to the judges, their votes were admitted. I do not remember the number of their men that I conversed with. I do not know that I can tell the number, because it seemed a general conversation, and they all might and might not have participated. I do not know whether these men are or are not now residents of the Territory. The legislative nominations were made by the Pro slavery party at Dyer's, in the Big Blue precinct.

To Governor King :

I think the judges were Mr. Dyer, Mr. Garrett, and Mr. Stewart. Dyer and Stewart were Free-state men. The judges were not unanimous in their opinion. Mr. Garrett dissented upon the question of admitting these men, before spoken of, to vote.

To Mr. Sherman :

This was the same poll at which William Walker and others voted. They claimed to be residents of the Big Blue precinct. A portion of them, to my knowledge, own land there, and claim to be occupants of it. There were some there who voted who belonged to the Wyandott tribe of Indians.

W. J. OSBORN.

LEAVENWORTH CITY, K. T., May 28, 1856.

ISAAC S. HASCALL testifies:

To Mr. King :

I was at the Blue River precinct at the election of the 30th of March, 1855. Mr. Osborne was there that day. Shortly before the 30th of March it was rumored that a body of Pennsylvanians were coming on from Reeder's district in Pennsylvania, and just before the election crowds of strangers came into the district representing themselves as

Reeder's men. I should judge there were one hundred and fifty that passed up on the Fort Riley road. They stated that they came at the instance of Governor Reeder; that they had hurried to get here before the election; that they did not know as they should stay here permanently, but came merely to see how matters stood. I know nothing about their movements after they went to Fort Riley, except through report. I saw some of the same company afterwards at Pawnee, after the election. They stated they would not live in the Territory on any consideration, but that they were going back to Pennsylvania, where they could enjoy life. I was at Pawnee and Fort Riley after that several times, until the meeting of the legislature, and I would meet one of them occasionally, and I do not know of but three of the original party who remained in the Territory.

To Mr. Oliver :

They had no women with them. Some came in on wagons, and some on foot. The greater part of the men had guns; some had revolvers, but not often.

ISAAC S. HASCALL.

WESTPORT, Mo., *June 5.*

AUGUSTUS BAKER called and sworn.

I came into the Territory in November, 1853, and went to Fort Riley and worked as a millwright, and made a claim on the Big Vermillion in December, 1853, I think in the twelfth district, and have lived there ever since. I did not vote at the election of November, 1854, or March, 1855. The night after the election of the 30th of March, 1855, myself and friend (John Baker) staid with Louis Trumble, a half-breed Pottawatomie, on the Black Vermillion. That is on the Independence road to California, about twenty miles this side of Marysville. I am acquainted about Marysville, and know there was no settlement about there at that time for forty miles, except that Marshall and Bishop kept a store and ferry at the crossing of the Big Blue and the California road. I only know, by hearing, about the illegal voting at Marysville. Marshall is there sometimes, but his family lives in Weston. He stopped at my house some two years ago.

AUGUSTUS BAKER.

LAWRENCE, K. T., *May 9, 1856.*

JOHN E. D'AVIS called and sworn.

I reside on the Big Vermillion. I moved into the Territory in November, 1854. I was not at the election of November, 1854, or March, 1855. The day after the election of the 31st of March, I was at my store, about forty-five miles this side of Marysville. Mr. Marshall, who lives in Marysville, and has a store there, came to my house

with about twenty-five or thirty men, the most of whom I had known in Weston, Missouri. They camped for dinner near my store. I went down to their camp, and some of them were at my store. I had some conversation with them. They told me that they were up to Marysville, and had carried the day for Missouri; that they had voted about one hundred and fifty votes, I think. They said that they would see that Kansas should be a slave State. They were drinking and talking freely. I had formerly lived in Weston, and they thought I was a pro-slavery man. They said they went up the road from Weston, and I knew that they lived in Weston when I was there. This Mr. Marshall, who was along, afterwards served as a member of the legislature. Marshall did not say much; he inquired for hay for his mules, and some provisions, and paid the bill for the party. They left together towards Missouri. Donaldson, another member of the legislature, passed the next day, coming down towards Missouri. He said he thought he was elected; that he had lost a good many votes about Fort Riley, as the free-soil candidate got the most votes there, but thought the votes at Marysville would save him. He lived in Missouri; I think in Jackson county. I have not seen him in our region since. He had no claim that I know of in the district, and no business, except election, coming here.

J. E. D'AVIS.

LAWRENCE, K. T., *May 9, 1856.*

ISAAC S. HASCALL testifies:

To Mr. Sherman:

I lived at the mouth of Big Blue, and in that neighborhood, for six months. I should judge it to be 120 miles from Kansas City to Big Blue. I have been at Marysville, in this Territory. I was there in the summer of 1855, though but for a short time. That is between 40 and 50 miles from the mouth of the Big Blue, according to the usual route. Marysville, according to the direct route from Kansas City, is, I think, about 140 or 150 miles. The Otoes have a reserve north of Marysville. At Marysville, and in its vicinity, there is quite a number of settlers. There are not many there in the town. Marshall and Woodward had a store there. That is the northwest settlement of the Territory, and is not as well settled generally as the Nemaha region. Marysville is in Marshall county, in which county I think there are not as many people as in Riley county, though there may be as many as in Nemaha county for aught I know.

To Mr. Scott:

I think there is a route from Marysville to Pawnee of about 60 miles; Pawnee is a little west of south of Marysville.

ISAAC S. HASCALL.

WESTPORT, Mo., *June 5, 1856.*

JOHN A. CANTRELL called and sworn.

To Mr. King:

I reside in Westport, Missouri; I resided here in the spring of 1855, and kept a livery-stable. Sometime in March, towards the last of it, I was employed by some nineteen men from Pennsylvania, and all professed to be acquainted with Governor Reeder. One of them—a mechanic—showed me a letter of recommendation to Reeder as a workman. They employed me to take them up into the Territory. I took them up to the Big Blue river, in the neighborhood of Manhattan. They had no women or children with them, and their baggage was generally a carpet-sack. There they left me, with the agreement that I should wait for them to return, which I did; and after the election I brought the most of them back. They said they wanted to go to the election, and, as it was difficult for me to go with my teams, I waited there for them. They paid me by the day.

They told me after they returned that they had killed some Missourian votes, and I understood that they voted at the Big Blue precinct. The most of them returned with me; and when they got in the neighborhood of the Pottawatomie Indians, they wanted me to take them across to Leavenworth city, but I would not go. They settled with me, and went across by another conveyance; three of them returning to Westport with me, and went right on down towards the river in a wagon that I sent down to the river with them. All those who were with me expressed their determination to return home; two of them cursing Reeder for getting them out here. There was not much said between us, either one way or the other, about Emigrant Aid Societies, eastern men, &c.

To Mr. Sherman:

As well as I recollect, 19 of these men went up with me, and 17 started back with me and came down to where they turned off for Leavenworth, with the avowed purpose of getting on a boat and going back again. The other two crossed the river and said they would meet me down below, but did not do so. Their complaint against Reeder was something about the capitol up there. Among them was a stonemason, and also a carpenter, and they spoke of Reeder as having got them out here to get work on the capitol. These were the two men who came down on the other side of the river. I do not know exactly why the others returned with me, but I understood that it was something about being dissatisfied with the country, or with something, I cannot tell what.

To Mr. King:

After they got to the end of the journey up in the Territory, they made a contract with me to wait two days for them and haul them back. I got there in the evening, and I and my hands camped by ourselves, and the party camped by themselves. The leader of the party came to me and said he wanted me to wait there until the day after the morrow morning. I waited there two nights, and they came

in and started back with me, as I have before stated. The election took place while I was there waiting for them. I contracted with the men to take them up the country just as they got off the boat at Kansas City. Some three weeks after I got back I saw these two men, who came down on the other side of the river on their way home.

JOHN A. CANTRELL.

WESTPORT, Mo., *June 7, 1856.*

THOMAS REYNOLDS testifies :

To Mr. Scott :

On the 30th of March, 1855, I resided about five miles nearly west of Fort Riley, where I reside now, in what I think was the 9th district. The election in March was held at Pawnee, in what was called Klutz house. The pro-slavery candidates at that election were Donaldson for Council, and Garrett for House of Representatives ; the free-State candidates were Conway for Council, and Houston for the House of Representatives. I was present at that election. I was well acquainted with the resident voters of that district ; perhaps more so than any other person in that portion of the county. In that precinct I think there were some 70 or 80 legal voters, of which I thought the Pro-slavery party had the majority. I never thought the army had the right to vote, though they always did vote. I did not attend the polls very closely that day, and saw some connected with the army vote, though the same were there that I had seen at the election in the fall before. A great many strangers came into the district shortly before the election. Report said that three hundred from Pennsylvania were there on the day of election. We who were opposed to their voting objected pretty strongly, and not a great many of them voted. There was a great deal of talk about fighting, &c. on that day. I saw no women with these strangers ; they commenced coming a week or ten days before the election. That is a very hard country to live in, as there were but few settlers and few accommodations. They stopped at Mr. Twombly's and the Klutz house, in Pawnee ; that was in March, and it was quite cold, and they complained very much of the country and of Reeder for sending them there, and many swore they would not vote for Reeder's men, as he had deceived them, and he would go back home. There were a great many people there living about in tents, but I did not know of any of these having tents with them. They said, so far as I saw them and heard them, that they were from Pennsylvania. I heard them say a great deal about having their expenses paid out there ; some said Governor Reeder's wife paid their way, and some that they paid their own way, and would go back home and do as they please, and not vote that day. They called the society that paid their expenses the Emigrant Aid Society. They complained of Reeder for making misstatements in saying it was a fine country, good place to get farms, and that it was well supplied with coal, and they had been deceived. They said that they came only from what Reeder wrote back to Pennsyl-

vania, not what he had said to them himself, as he was not there. They said that Reeder wrote back about iron mountains, and big wages, &c., which they found to have been a misstatement. Myself and some others were very anxious to know what district we would be thrown in, and some who seemed to know better represented that we belonged to the district below the Kaw river.

Some two or three days before the election two wagon-loads of emigrants came there and said they had the governor's circulars laying off the Territory into districts, and said they had had them two months before in Pennsylvania. That was the first we knew of the districts, and we had not time to make our arrangements before the election. After the election I saw some of them going in the direction of their home, and I do not know where they went. One wagon-load left the day before the election. There are but few of them in that portion of the country now. A good many, all that got wagons to go in, started off the day after the election: they had no wagons of their own. All that I heard say, said that their homes were in Pennsylvania, near where Governor Reeder came from. I do not recollect of hearing any who voted say they had done all they came to do, and would then go back. I heard some say before the election that they came to vote, and to vote for Governor Reeder and his men. They said they wanted a free State, and that was the understanding with Governor Reeder before they left home. It was reported, some two weeks before the day of election, that it would be held at Pawnee, and the day it would be held; but we could not get his proclamation to know what were the bounds of the district. I think, generally, the people all over the district knew when and where the election was to be. But I think the first proclamations with regard to the district came on the Friday before the election on Monday, with those Pennsylvanians. All near the Pawnee precinct knew where their voting place was to be, and I think were there on the day of election; but I do not know about the other precincts. The people in the neighborhood generally called the Pennsylvanians "Reeder's men," though I do not know as I heard the Pennsylvanians call themselves Reeder's men. They were generally known, as they were better dressed men than we were.

I have heard that Reeder was at that time a stockholder in Pawnee, but I never heard him say anything about it himself. I could not say, only from report, whether Reeder had any interest in claims outside of Pawnee or not.

Cross-examined by Mr. Howard:

I think that about the time of this election there were nearly seventy or eighty legal voters in the Pawnee precinct, and I think all voted. Some of those Pennsylvanians voted after coming forward and swearing that they intended to reside in that district. I think that for representative we had about thirty pro-slavery majority in the whole district. The district embraced the Pawnee precinct and one on the Big Blue, but I do not know the name of it. I think there were more than seventy or eighty legal voters in the whole precinct. In the Pawnee precinct I think we had some eighteen majority of the

pro-slavery party at that time. We did not canvass the precinct, but we talked to one another, and we knew all in the precinct, and what their politics were, but we did not take any memorandum. I do not think that the report of there being 300 Pennsylvanians on the ground at the time of election was true, though there were a great many there. I do not remember the names of any of those Pennsylvanians who went back. I understood that a Mr. Sherwood was building a house there for Gov. Reeder. But those men who told me Reeder's wife gave them money to come out here with were not at work on that house, and I think did not work at all. I did not hear many say that Reeder's wife gave them money. I heard one speak of it, and I think he said Mrs. Reeder gave him \$25, but I do not recollect that he said what he came out for; but he complained of the country not being so good as he expected, and of there not being any accommodations. I heard several men, at different times, say they had been sent out by the Emigrant Aid Society, but I never knew their names; they said that the society paid their way out here. I first saw these circulars on the Big Blue, and two wagons' full of Pennsylvanians from Westport were on their way to Pawnee, and they had them. The circulars were some proclamation of the governor fixing the time and place of election, and laying off the districts. They told me they had them in Pennsylvania some two months before that. This was some three or four days before the 30th of March, 1855. These Pennsylvanians gave us some of their circulars. I do not know the names of any of those Pennsylvanians, and none are in the country now.

To Mr. Scott:

I think some of the pro-slavery men voted for Houston, the free-soil candidate, and some did not vote at all. We could not get up a regular ticket until we knew where the district was.

To Mr. Howard:

I think some of the pro-slavery men voted for Houston, as there was a split in the free-State party, and some of the free-State men would not vote for Conway.

THOMAS REYNOLDS.

LEAVENWORTH CITY, K. T., *May 28, 1855.*

C. R. MOBLEY testifies:

To Mr. Scott:

I resided on the 30th of March, 1855, in Fort Riley, in the ninth election district of this Territory. I was at the election on that day at Pawnee; I was then acting as justice of the peace for that district, under appointment of Governor Reeder. I was well acquainted with most of the resident voters in that precinct, and, I think, casting out all in the employment of the government, there were some thirty-five or forty legal resident voters there. I took a great deal of pains to inform myself of the sentiments of each indi-

vidual on the question of slavery, and it was the opinion of the pro-slavery party generally that they had a majority. I thought we had about ten pro-slavery majority. There were quite a number of strangers—as many as one hundred, I should think—arrived in the precinct before the election. The Pawnee Town Association sent down and got twenty or twenty-four men who had come up about two weeks before the election; I mean by this association the stockholders of the town of Pawnee. Dr. Hammond was the agent who went and employed them, I think, but I am not certain. I do not know where the men were brought from, but from some place outside of the district; I do not know how long he was gone after them. I heard Dr. Hammond tell Mr. Wilson that they would be able to beat the pro-slavery party, as he was bringing the right kind of men to come there and work, and they would all vote right. The principal portion of these strangers were coming for four or five days before the election. I was keeping a boarding-house at the Fort at that time, and quite a number stopped with me; they had no families with them, and no baggage but carpet-sacks. I think none of them arrived after the election; no bodies of men, so large, have arrived there since. Some of them boarded with me; some at the Klutz house, and some of them stopped in government tents. I do not know whether Col. Montgomery knew or not of their occupying the government tents, though I understand that Captain Lyon furnished them out of his company; Captain Lyon was a stockholder in the town of Pawnee. I think most of these persons that the judges would permit to vote voted at that election. Almost all of them were at the polls, and claimed the right to vote. I saw several of them vote; but I do not know the number who voted. They commenced leaving the next day, and continued to leave as fast as they could get their carpet-sacks and get away. The most of these men represented themselves as being from Pennsylvania, and they said they came there to make Kansas a free State, and intended to do it at all hazards; that they had the power to do it, and they would do it. They said they could out-vote us, and could always be able to put more voters in the Territory than the pro-slavery party could. Some of them said they were furnished with money to come by the society; and some said Mrs. Reeder had furnished them with money. They were accused of being hired to come and vote, and they said they had received \$25 to come to the Territory, and their voting the free-State ticket was considered a matter of course. Many expressed dissatisfaction at Reeder for his misrepresenting the country to them, and said they were going home. Some said they had done all they had come to do, and were going home. They spoke of having voted. There was one of them from New York, and there were probably more of them. The most of those from Pennsylvania spoke of Easton, Pennsylvania; they were generally well-dressed men. The first time I ever talked with Governor Reeder I asked him where he would locate the seat of government? and, instead of answering my question, he went on to say what advantages Pawnee had for such purposes; and when I said I wanted to locate near the seat of government he said I could locate near Pawnee, and have no fears about the matter of the location of the seat of government. This conversation took

place at Fort Leavenworth in October, 1854. Governor Reeder had just returned from his circuit of the Territory. I started the next day after that to Fort Riley, on Reeder's recommendation, and he came to Fort Riley, I think, in December following. The stockholders were making strong efforts to have the seat of government located there, and for some time he held himself aloof and for two or three days would not say what he would do, though they made pretty liberal propositions to him. It was finally agreed that the capitol should be located there. I do not know as Reeder was paid for this; but I think Mr. Wilson was to let him have twenty shares on liberal terms, though I do not know what those terms were. At the same time I heard Reeder say that the present condition of Pawnee would not do for the seat of government, as it had the Fort reserve on one side, Bluffs on another, the Kaw river on another, and a lot of Irish on the other. The Irish commenced with their claims on the river running to the Bluffs, and had six claims there. Four of them were named Dickson. Governor Reeder told them that those Irish should be got off if they wanted to build a town there; and, in his absence, the company suggested the plan of raising \$1,200 or \$1,500 to offer them for their claims, and if they would not take that they were to induce Colonel Montgomery to have the reserve surveyed, so as to have Pawnee out and take the Irish in; and then Colonel Montgomery was to drive the Irish off their claims, and then they were to send agents to Washington, Johnson and Sherwood being named, to get the reserve curtailed; the matter being kept secret until they could put men on these claims to hold them.

These Irish were driven off by persons under the command of Colonel Montgomery, and their houses thrown down and destroyed. The Irish then dug holes in the ground and lived in them, and the roofs fixed over the holes were torn off, but they were never driven off their claims. I do not know that Governor Reeder ever acquired any interest in those claims, though I understood that he and Judge Johnson were to have residences on those claims. They were both stockholders in Pawnee. I think that Mr. Sherwood and Mr. Klutz said that they had a conversation with Governor Reeder, in which Reeder said, if the Irish were driven off their claims, the capitol will be all right. Colonel Montgomery was kept in ignorance of the reasons for driving the Irish off their claims, as it was thought he would have conscientious scruples against doing so if he understood all about the reasons for doing so. The question of whether the seat of government was to remain or not at Pawnee was considered, and an arrangement agreed upon by which the members of the legislature were to have a certain number of shares on easy terms; their object being, as I understood, to secure their votes in favor of making Pawnee the permanent seat of government. I do not know of any shares being sold lower to any members of the legislature than to other persons. Mr. Donaldson said he had got a share of Governor Reeder, and he intended to vote for Pawnee being the permanent seat of government, but did not say why he should do so. I heard Governor Reeder say that the location of the capitol was entirely in his power; this was before he located it. After the legislature had removed the seat of

government, I heard Reeder say they had no right to do so; but I never heard him say anything about that matter after the election and before the meeting of the legislature. The stockholders said that a majority of the members of the legislature were in favor of having the seat of government remain there, and it would be necessary for them to secure the votes of one-third of the legislature to keep it there. These stockholders were Robert Wilson, Captain Lyon, and Dr. Hammond. I have heard Governor Reeder say that he had a wife and children living in Pennsylvania, and that they had never been in the Territory; this was in December, 1854. I think he never did have his family in the Territory.

Cross-examined by Mr. Howard:

The Mr. Donaldson who got a share of Governor Reeder was councilman for the Pawnee district. The 20 or 24 men employed by Dr. Hammond were employed to work for the company in March, 1855, and for what was called a warehouse, quarrying stone, hauling logs, &c. When Dr. Hammond told Wilson they could beat the pro-slavery party, &c., Wilson said that the pro-slavery men could beat the free-State men, as they had the most voters, and would not let the Hammond men vote. I do not know where those men came from. I think those hired by the association did not belong to the Pennsylvanians. One of the Pennsylvanians, who was hired by the Pawnee Association as general engineer, said he had received \$25 of the society, and voting was considered as being a matter of course. I asked several for the board they owed me, and they said they had no means, as they had been furnished only money enough to come out here. John McClucan said that Mrs. Reeder had furnished him with money, and some two, or three, or four said the same thing. They were frequently accused of being hired to come out and vote, and they said they were paid their expenses out, and voting was considered as a matter of course. I heard a Mr. Beckwith say his expenses were paid by the society, and he said most of the others came out the same way. Some of the others denied it, and some admitted that it was so, I think. Beckwith was from New York. Lieutenant Hunter was one of the stockholders, and several other stockholders being present, who assented to it. Mr. Robert Wilson, Mr. Sherwood, and Dr. Hammond proposed to have the reserve surveyed so as to take in the Irish claims, and have the reserve cut down, &c. This was at Mr. Wilson's store, at the Fort, in December, 1854, while Governor Reeder was at the Fort. There were persons coming in and going out of the store all the time; but I do not know as I could give the names of any of them. This conversation was among themselves. The Irish were driven off that winter, some time before the March election—that is, some of their families were taken off, and their houses torn down. Captain Lyon at one time, and Lieutenant Hunter at another, with some 20 men, went to do this. When the houses were torn down, the Irish dug holes in the ground and put roofs upon them, and the roofs were torn off.

To Mr. Scott :

The stockholders of the Pawnee Association—so I understood from them—chose a number of trustees to act for them, but I do not know how many there were of them. Colonel Montgomery, Captain Lyon, and Dr. Hammond, I understood were trustees, and there were others, but I do not know who they were. It was generally understood that what the trustees did was binding on all the shareholders, at least they told me so. I heard the matter of their getting the Irish off their claims spoken of by all the stockholders and the trustees that lived there, except Colonel Montgomery; but I heard him say he would drive them off.

Q. How many houses, and of what size, were there in Pawnee on the 1st of July, 1855?

Question overruled, Mr. Oliver dissenting.

Pawnee is about 120 or 130 miles from here, in a southwestern direction.

To Mr. Oliver :

There are three houses in Pawnee now—two stone and one frame house. The chaplain of the Fort is living in one, and the others are not occupied. The house in which the legislature vote there is unfinished, and I think no doors, except temporary ones, and no windows. There is no lower floor there now, though there were floors there once, but they have been broken down.

To Mr. Scott :

The stockholders built that house; some said for a warehouse, and others for a capitol. I do not know when the roof of the house was put on, or the floors put in. There were very few settlements west of Pawnee. I think Pawnee is generally a very healthy place, though some persons died at the Fort, near there, of cholera, last summer.

To Mr. Howard :

* Pawnee City is now declared to be on the Pawnee reservation, and I think that is to a great extent the cause of its present condition, though there were but few persons there when we heard about the military reservation. We heard of it about September, 1855.

To Mr. Oliver :

The were five or six houses there at that time.

C. R. MOBLEY.

LEAVENWORTH CITY, K. T., May 28, 1856.

H. A. LOWE testifies :

To Mr. Scott :

I resided at Fort Riley on the 30th of March, 1855, in the ninth election district in this Territory, and was wagon-master at the Fort

at that time. I was at the election of the 30th of March, at Pawnee, for a few moments only. The free State candidates were Conway for council, and Houston for house of representatives; and the pro-slavery candidates were Donaldson for council, and Garrett for house of representatives. I voted at the election the free State ticket. Several of the employees of the government, at the Fort, went to the polls that day and voted the free State ticket, with the exception of one, so far as I know. I judge that all the men of the Fort, with the exception of one besides myself, were there merely because they were in the employ of the government, and not as residents of the Territory. I saw a number of strange faces there at the time of the election, who were said to be men from Pennsylvania. I did not talk with those men much; but the general appellation given to them was "Reeder's men," and it was generally understood that they came to vote. I think I have heard Colonel Montgomery and Dr. Hammond call them "Reeder's men." Mr. Sherwood and one or two others, who were at work on a house for Reeder, were the ones that Colonel Montgomery and Dr. Hammond called "Reeder's men." A portion of these Pennsylvanians, some ten or fifteen, Mr. Sherwood and Mr. Hubbell and others, had been there for some time. We thus came there some three or four days previous to the election, as the boarding houses were full. Some of them lived in camps and tents. Those that could not get into the boarding houses. I was at the polls; I saw a number of these men around the polls, but I saw none of them vote. These men brought no baggage with them, as settlers usually do, and no women and children. They disappeared after the election, and out of all the free State votes given at that election I can make up but ten there now, including government employes, a large party of these strangers, &c. The free State men left that portion of the country before it was ascertained that Pawnee was on the government reserve. I do not know whether Dr. Hammond was at that election or not. I did not see him there. I think that Mr. Sherwood went to Pennsylvania and brought the ten or fifteen men back with him just before the election. About the 1st of March, I think.

H. A. LOWE. .

LEAVENWORTH CITY, K. T., *May* 28, 1856.

THIRTEENTH DISTRICT.—*Hickory Point.*

J. B. Ross called and sworn.

I live on one of the tributaries of Crooked creek, about eighteen miles from here, and have lived there since I first came to the Territory from Platte county, Missouri, in August, 1854. I was appointed one of the judges of election on the 30th of March, 1855, at Hickory Point, in the thirteenth district. I did not serve as judge during that day; I resigned early in the day, before any votes were taken.

I gave up the polls because I was told I had to receive such votes as were offered or give up the polls, or have the house torn down. I was told this repeatedly by the crowd generally around the window. The majority of the crowd were strangers to me. I was tolerably well acquainted in the thirteenth district at that time. There were but few residents there on the ground that day, not over thirty or forty I should judge. I judge there were between 250 and 300 persons present. I did not hear these non-residents say where they were from, though I know some were from Platte City, Missouri. Those I knew from Platte City, Missouri, I cannot say had any badge about them, though it was a pretty general thing to see a bunch of hemp in the button-hole or around the hat, some made into tassels. William Fox, that I knew to be from Platte City, was there. I do not know as he voted. I knew no other non-residents there except those from Platte City, and I do not know as I heard any of them say where they were from. As near as I can recollect, some two or three persons offered to vote, who, on examination, acknowledged themselves to be citizens of Missouri, and we refused their votes. They then remarked that we had to give up the polls or receive their votes, or otherwise they would tear the house down.

Some of these men were armed with guns, some with knives and revolvers in their belts. It was repeated frequently about tearing the house down, and they appeared to be very positive about it. I do not know any man named Thomas in our district. I know a man by the name of Gardner in Platte City, but I did not know his first name. There is a Jesse Yocum in our district. I resigned without receiving any votes, but remained about the polls till some time in the afternoon. I do not know any men named O. G. McDonald, G. C. Clindey, J. S. Barbee, in our district. I cannot tell the names of the two or three whose votes I refused. They claimed a right to vote because they had a claim in the Territory, though they lived in Missouri. The settlers I saw there did not amount to more than thirty or forty. I saw none of them vote. All of the judges resigned at once, took up all the poll books and papers, and left the room and took them up to Governor Reeder. I do not think we announced our resignation. I think three judges were nominated by some person, and all in favor invited to walk out and form a line. So far as I recollect I do not know any men in our district named N. B. Hopewell, or William M. Gardner, or Richard Chandler. I did not see these new judges receive any vote. I did not vote, because I thought it would not be worth while to vote where the judges were almost compelled to give up the ballot box.

I reached Governor Reeder with the protest, signed by myself and the other two judges, I think, on the 3d of April, some time in the forenoon. I do not know as the protest was acted on, as there was no special election called, to my knowledge. I did not see these men, but I saw quite a number of wagons and tents. I had some conversation with Mr. Fox about voting. He came to me and wanted to know if I could not receive the votes of "our people," as he called them, under the oath I had taken as judge. I told him I could not. I have no means of telling by the census returns the number of voters

in that precinct, which gives some 80 odd. I do not know when these men left. A portion left before I did, taking the military road towards the river.

Mr. Fox stated no reason for voting over here, except that they had a right to vote. At that election, I think the free State party had a pretty good majority in that district. I have never heard of any free State man who voted on that day. I do not recollect the candidates at that election. I lived in Missouri some two and a half years, and came there from Indiana. I did not vote, because I considered that election illegally conducted.

Cross-examined by Mr. Rees :

I heard, more than once, from the crowd, that they would pull the house down, and, I think, from different men. I did not know all the residents of that district. I was acquainted with many in the district. I thought the proceedings were illegal from the time the judges were not allowed to act. I had calculated to act at that election before that time, and considered it legal up to that time. I intended to vote for Samuel L. Hardh for representative, and Colonel A. J. Whitney for council. I knew there were other candidates, but never knew their names. Travelling in wagons is sometimes a very common mode in this country, and I suppose people go to elections sometimes in wagons. Some of these persons I knew were non-residents, but I do not wish to mention the names of any but Mr. Fox. I consider a man who resides in the Territory with his family a resident. Some of these men told me they did not live in the Territory. I think a majority of those there did not live in the Territory. The first men who offered to vote said their families were in Missouri, and their homes were there, and they had a claim in Kansas. There were but two or three of them. I do not know when they made their claims. They claimed to have a right to vote because, they said, they had claims.

There were but few men in our district, who staid there, who had not their families with them, and none, that I recollect of, who had any families at all. The district ran west of Charles Hardh's a considerable distance, but I never was to the boundary, and do not know how far it ran. I do not know what was understood to be the distance. The protest I carried up was a return of the three judges, which, I think, was not sworn to. I think I got it down to the governor on the third day of April. I live some ten miles from Hardh's. I did know a man in June, 1854, in that district, but I have not seen him since. I do not know his first name.

To H. Miles Moore :

I know a David Hunt that lives some two or three miles from Platte City. I know J. H. Winston, in Platte county. I do not know that those men voted there. I knew them when they lived in Platte county, but do not know where they live now.

To Mr. Howard :

I do not know any men of those names in our district.

J. B. ROSS.

LEAVENWORTH CITY, K. T., *May* 19, 1856.

J. B. Ross recalled.

I have looked over the poll lists for the election of the 30th of March, at Hickory Point. There was a man named Whitehead who lived on Crooked creek. I knew a James Kuykendall who lived in the west part of the district, and a Clemons, who lived near Kuykendall. G. W. Dyer lived near Osawkee; Jesse Yocum lived in the district; a Mr. Tibbs lived near Osawkee; a William Dyer lived in the district, as did Owen Tibbs. Those are all the names I find on the list I recognize now as residents at that time. Eight in all.

J. B. ROSS.

LEAVENWORTH, K. T., *May* 19, 1856.

WILLIAM H. GODWIN called and sworn.

I reside usually about five miles from here, in Salt creek valley. I arrived in this place from Michigan the 16th March, 1855. I was at the election at Hickory Point, in the thirteenth election district, on the 30th of March. The election was held at Mr. Hardh's house. One of the judges I knew, by the name of J. B. Ross; another was named Cory; and another I did not know. I was present at the election for a short time. For some reason the judges I have named did not serve; they left the polls before I left, and I did not see them take any votes. Other men acted as judges, but I do not know how they were obtained. I am acquainted with some persons who were at the election, but I am not acquainted in that neighborhood. There were a great many people there, with camps and wagons, prepared to live without going to houses. There were a great many people there; I should guess perhaps 600 or 700 of them, perhaps more or less, I cannot tell. There were a good many armed, and a good many I saw with no arms. I heard a good deal of talk but I did not pay much attention to it. I did not vote because I had reason to believe there were a good many there from Missouri, from what I heard there. It was the talk among those I knew that such was the case. I could have voted if I desired. I did not know any who were from Missouri. I saw a great many there with hemp in their coats and pants and on their hats, but I did not know where they came from. I think the principal part of those I saw were camped in tents and wagons; several hundreds of them. I do not remember that I heard that day any discussion about the rights of those there to vote. I left the grounds early in the afternoon, perhaps 2 or 3 o'clock. There was a good deal of voting before I left. At times there was considerable noise and confusion, but I do not remember any threats or fighting. There was a great crowd about the polls. When I went away the polls were not so crowded. I do not remember of seeing any men in the tents and wagons start off before I did.

Cross-examined by Mr. Rees:

I did not know the judges who acted at that election; they were not the same as those who commenced to act as judges. From the tents

and wagons I saw there I should judge there were from 600 to 700 persons there, perhaps more, perhaps less. I cannot tell how many wagons and tents I saw there.

My object in coming from Michigan here so early in the season was to get employment in the public surveys here.

By Mr. Howard :

I got employment as an assistant surveyor, and I have no other business.

WM. H. GODWIN.

LEAVENWORTH, K. T., *May* 19, 1856.

DR. JAMES NOBLE called and sworn.

I reside northwest of this place about twenty-four miles, in the thirteenth district, now called Jefferson county. I came into the Territory in the fall of 1854, from Missouri—the northeast, Platte county. I had resided in Platte county about two years at that time, and some years before. I was at the election of the 30th of March, at Hickory Point, in that district, at the house of Charles Hardh. I was tolerably well acquainted in that district at that time ; I had been, I think, in pretty much every settlement. There were a great many people at that election. I do not know who were the judges ; I think there were two classes of judges, but I do not know who were the first class of judges. N. B. Hopewell was one of the second class of judges, and, as such, told me that he made the returns to the governor.

There were very few citizens at the election after I got there, which was about twelve o'clock. I did not vote that day. I was not prevented from voting by any violence. I was requested by some old acquaintances from Clay county, Missouri, who were there then, to vote, and grumbled at me for not voting. I did not go to the polls at all, and saw no man vote.

I do not recollect more than eight or ten residents in the district I saw there that day. I judge there were some two hundred in all on the grounds that day. I do not know any one by the name of Barber in our district. I never heard of but two men named Graves living in our district. I saw a great many of my old neighbors there that day who did not live in our district, among them were Mr. Ellington, of Platte county ; B. Prater, of Clay county ; Andrew Murray, formerly constable at Liberty, Missouri. I do not know of any Marshalls in our district, or Rockholts, or Whitlocks, or Arnolds. I saw a Mr. Thompson, from Clay county, there on the day of election. A Mr. W. G. Baker, I think, is interested in our town plot of Jacksonville, but I believe he is from Baltimore. I do not know a man in our district named J. Harris, but I knew one in Missouri. I do not know as I saw him on that day. Mr. Lykins, I think, formerly lived about Platte city ; I know of no man named Lykins in our district. I know of no man named J. Weekly. I do not know L. Henshaw, or any Millers in our district. I knew some Swetts in Missouri, but none in

our district. I have heard that some Graggs are settling on the Grasshopper, but I do not know when they went there. I do not know Mr. Keith. I do not know of any Walker in our district. I do not know of any Hatches in our district, though I know of some in Missouri. I know of Henry Arnold, of Missouri, near Liberty. I do not know A. C. Woods, as I know of. I know David Gentry, of Boone county. Williams is a very numerous name in Missouri, but I know of none in our district. I know a John Wilson, in Missouri, but no Wilsons in our district. John Cook lived in our district, I think, and so did Colegrove. I did not know G. L. Merritt or any Gardiner in the district, but a good many in Missouri. I formerly knew a Crane, of Clinton county, Missouri, and John Hawkins, also of Missouri. I have heard of a Lee in our district. I knew Whites in Missouri and Kentucky, and two in the district, named George A. White and Smith White. I do not know J. Carr or G. L. Parrish in our district. I know of no Hunts or Carrs in our district, but I know of a David Hunt at Platte city. I never heard of any Ewing in our district, or of J. Howard. I do not know of any Mitchells in our district. I do not know of any Thachers, or Coxes, or Brooks in our district; I have heard that a Brooks lived near the line of our district, and I think probably he was here on the day of election. I know of but one Mason in our district, George Mason.

I have lived forty-odd years in Missouri. I had some talk with my acquaintances from Missouri about their right to vote, which they claimed to be, because they were personally on the ground intending to take up claims, or had done so. I contended that they had no right to vote until they moved over here with their goods and chattels. I saw no one vote that day. I do not recollect the candidates on that day altogether. Mr. Tibbs, Mr. Eastin, and Mr. Richard Rees, were candidates, but I do not recollect the rest. I know of no man in our district by the name of Breckenridge—know an Alexander Breckenridge in Missouri; saw no man by that name there. I know Pembertons in Missouri, but none in our district. I did not charge myself with the names of those I saw there. It appeared to me a good deal as if I was now home in Missouri surrounded by my acquaintances and friends. I know W. Carpenter, a merchant, in Clinton county, Missouri; John Reed was a neighbor of M. Carpenter. I know Shepards in Missouri, but do not recollect of seeing any here on the day of election. J. Jeffries lives in Clay county—I know John Myers, of Howard county, Missouri. R. Chandler was a citizen of our district. Pleasant Ellington was from Missouri—I knew him—I never knew of his having any claim in our district. I know Coxes in Missouri, but none in our district.

I think I did not know at that time half who lived in our district; I think I knew more than half around the polls, for it appeared as if I knew most all of those I met. I did not recognize more than a dozen I knew to be residents of the district; as to the rest I think I recognized most as my old acquaintances of Missouri—I think there were at least two hundred there in all. They started off home before I left. I heard a number speak about the right to vote; they contended that the Territory had been open to settlement; and that Atchison, I think,

had proposed that a man should be here thirty days before he should be entitled to vote, but he had been overruled in that; and now any man who was here, no matter how long, was entitled to vote; and a man was a citizen as soon as he stepped into the Territory.

Cross-examined by Mr. Whitfield:

I had been in most of the settlements of the district at that time; the boundaries of the district, as I understood, commenced on the east side, and run three miles west of Stranger creek, pretty nearly parallel to it, up to a line north of Kickapoo or Atchison, to some three and one-half miles north of Charles Hardh, and continued west to the Grasshopper, across it, some eight or ten miles beyond; then north to Kau river, and then down to the Kau river to the place of beginning. The district did not include Easton, I think. I did not know that the district ran as far west as Soldier creek, only as far as Muddy creek. I do not say this is the bounds of the district, but I understand it so. I think I am as well acquainted with the district as any man in it who has not been running lines. The district included Grasshopper Falls, I think.

I was all about through the county before the election, and looked at the country and the people who were there. I do not know that Mr. Ellington ever was, or ever claimed to be, a resident of the Territory at all; I knew him in Missouri as a resident of Missouri. If he has ever been a resident of the Territory I never knew it. I reached the place of election about 12 o'clock. The understanding was, that most of the residents had gone away with the poll books, but I did not see any of them go. I saw no quarrelling after I got there. I was from Casey, now Boyle county, Kentucky, to Missouri. I knew Smiths in Kentucky; I left them when I was a young man; men of the same name I have mentioned as those I knew in Missouri might have lived in Kentucky or Massachusetts, but these did not, they were my old chums in Missouri. I saw no man vote that day.

I only knew that men from Missouri voted that day from what they said themselves; they said they lived then in Missouri, and had voted that day. Barrett Prater told me so of himself; he was the only man who told me so; he appeared to be talking for the crowd, who were all listening. I sometimes talk for the crowd, and sometimes for myself. He said "we," and when I talk for myself, I say "I." I do not know that Prater was talking for the crowd, but I took it so from what he said—the whole crowd were listening to him—I do not know that the crowd endorsed his opinions. Whenever a man comes in with a crowd, or party, to accomplish a particular purpose, and he comes forward and says, "we think this," or "we will do or have done that," I take it he is speaking for that party or crowd. I do not know that the crowd endorsed what he said.

Question. Was not the delay of organizing the territorial government here the occasion of great complaint and dissatisfaction among the people, and one of the primary causes that have led to the difficulties that have taken place here; and did not the people believe that the delay was for the avowed purpose of allowing time to the aid companies to ship a sufficient number of persons here to control the election?

(The question was overruled, Mr. Oliver dissenting.)

I recollect some of the names of my old chums I saw, but not all of them; among them, William Chandler, Barrett Prater, Andrew Murray, Mr. Darbey, and others. In connexion with these people they said they came to vote, and contended the way matters were fixed up it was free for every man to come over here and vote. I do not recollect of their giving any other reason for coming. I do not know that these people did not have claims, some said they had chosen claims, others that they were looking out for claims and intended to come.

To Mr. Howard :

The general rumor was that the free State party had a majority in that district at that time, and it is larger now. The rumor was that the legal voters in that precinct (Hickory Point precinct) was about forty-three, but I never knew what it was or what the census was.

To Mr. Whitfield :

Previous to my examination, some of the names on the poll books were read to me by Mr. Propper, in order to see if I could recollect any of the names of the Missourians.

JAMES NOBLE.

LEAVENWORTH CITY, K. T., *May* 21, 1856.

JAMES F. FORMAN was called and sworn.

At the time of the March election I resided in the Doniphan precinct, fourteenth district, and was present at the 30th of March election. I was present when the votes were being counted out, after the closing of the polls. There was a discrepancy between the poll list and ballots of one vote. The judges explained in a manner satisfactory to all. If there had been a discrepancy of from five to fifteen votes between the tally list and polls, I think I should have noticed it, for there would have been some questioning about it, but I heard nothing and saw nothing of the kind.

To Mr. Sherman :

I feel almost positive there was a difference of only one vote between the tally list and ballots cast. The only reason why I think there was not more is that it would have excited attention.

JAMES F. FORMAN.

LEAVENWORTH, K. T., *May* 27, 1856.

RICHARD CHANDLER called and sworn.

To Mr. Oliver :

I first came into the Territory on the 3d of April, 1854, and stopped at Osawkee, in the thirteenth district, and resided there until July, 1854. I then went to Hickory Point in the same district. I was at the election at Hickory Point on the 30th of March, 1855, for members of the

legislature. I was one of the judges chosen by the people, after the first judges appointed by the governor had resigned. The election was orderly and quiet, so far as I saw. I saw no effort to prevent or control any man in his voting. I am tolerably well acquainted in that district, and have paid some attention to the relative strength of parties there. I should think there were from 200 to 250 resident voters there at the time of that election, and the pro-slavery party had a majority of some four or five to one of the free State party; so far as I could judge the pro-slavery party turned out at that election pretty well. I saw some free soilers there, but there were many I knew that I did not see there. I saw some free State men vote there. Some three or four free soilers were called on to vote, but they refused to vote. The people there on that day, so far as I saw, seemed to get on very peaceably and friendly together, and I heard no disturbance there in reference to the election.

I am acquainted with the general character of Doctor Noble for truth and veracity, both in Missouri and in the Territory, and it was very bad. He lived in Missouri some eight years, and his reputation there was very bad for truth and veracity. I have been frequently in his neighborhood hunting up cattle, and the people there generally considered his character for truth and veracity as very bad; and from my knowledge of his general character I do not think I would believe him under oath. I know something about the general character of Charles Hardh for truth and veracity, and he is noted for his hard yarns and tough stories, and his neighbors generally will not believe what he says. I should believe him under oath, as I think he is too proud and too good hearted to swear a lie. I know four men by the name of Gardiner in our district. I know three Greggs—Thomas, William, and another. I do not know any Arnold or Walker. I know a man by the name of White, but none by the name of Breckenridge. I know the Pembertons and William Carpenter there, and also John Myers; he resided in the Territory on the 30th of March, 1855. These men I speak of knowing were residents of the district at the time of the election on the 30th of March, 1855. I also know a Marshall there and some Jeffers there also at that time.

Cross-examined by Mr. Howard:

There were at least one-third of the voters that were sworn. We asked them if they considered themselves resident voters of the Territory. We had the governor's proclamation there, and followed the form pretty strictly.

RICHARD CHANDLER.

LEAVENWORTH CITY, K. T., *May* 20, 1856.

T. A. MINARD called and sworn.

I moved into this Territory with my family in August, 1854, from Iowa. I came to western Missouri on the 10th of June, 1854, and remained there until I came into this Territory and settled on Stranger

creek, near Easton. I was at the election of the 30th of March, 1855. The principal road from Fort Leavenworth to Fort Riley passes my house. On the day before the election there were large numbers of men, some walking and some riding, who passed my house. There was nothing said and done by them except that they would curse Reeder and hurrah for Atchison, or something of the kind. They were in companies, some two or three wagons in a company, and they were passing, more or less, all day. On the morning of the election some passed on horseback. I had no conversation with these men on their way out about voting. I came to Leavenworth that day as that was my precinct, and I returned in the afternoon, arriving at home about sundown. I met men returning, whom I am confident were the same who went by my house the day before, in wagons. I had some conversation with some of them. On the way home I met quite a number of wagons I recognized as some I saw pass my house the day before. They inquired if we were right on the goose, and we answered we were. They inquired how the election went at Leavenworth, and we generally said that the goose had carried it. After passing these wagons, I rode along about two miles, and met a man on horseback coming along, and commenced a similar kind of conversation, and then he inquired if we had seen a wagon, describing it, on ahead of him. I told him I did not recollect of seeing any of the description he gave. He then stated that his captain had agreed to camp on Stranger, and he could not find him there. I inquired if he had been at the election at Hickory Point; he said he had. I asked how the election went. He said that they had run out the judges appointed by Reeder, and put in judges themselves. I then asked him how many votes they had polled, and he said he did not know; that he had got drunk before the polls were closed, and did not hear the votes counted. He appeared to be about getting over a spree when I saw him. To the best of my recollection he said he and the company came from near Liberty, Clay county, Missouri. He said he was hunting for the captain of their company, as he had their provisions, and he was afraid if he did not find him he would have to camp out with nothing to eat. This was the substance of the conversation we had. Several wagons camped along the Stranger, about a mile from my house. I saw them as I was going home, but did not go down there again. I recognized some as being the same who had gone by my house the day before.

Cross-examined by Mr. Scott:

I do not know where the men were going to the day before the election, or where they did go. I heard but this one man say that they had been to Hickory Point, or where they were from. I did not see the wagon he described as the one he was looking for. I rather volunteered some remarks to Mr. Sherman, of this committee, in regard to what I knew of this matter, because I was in a hurry to leave and wanted to be examined as soon as possible. I was not summoned by any request of my own, and did not wish it either. The member of the committee, after I had requested to be examined as soon as possible, invited me to talk with him upon another subject, and after

we had got through that I volunteered some remarks in relation to this one. I think I said pretty much what I have said this time. In other respects our conversation was rather on personal matters, not proper to come before the committee perhaps. I think after we had talked a few minutes, the remark which this member of the committee made, which induced me to speak of this matter, was to ask me what I knew in regard to the election in the thirteenth district. That, I think, was the only question asked me. No other member of the committee was present that I know of, though there were other persons present when we had our conversation. I have been accused of being an abolitionist, which was not true. I am a free State man all the time.

I understood by the term "right on the goose," that there were men coming here to control the country, and make this a slave State; and when I answered that I was right on the goose, I wanted them to understand that I treated them the same as they had treated me. I did not wish them to think I was a pro-slavery man, for, if I had been asked, I should have told them I was a free State man. I answered in that way so as to avoid difficulty.

To Mr. Sherman:

The conversation I had with Mr. Sherman was here in the room, while the examination was going on. I was sitting about three feet from the reporter who was taking down the testimony, and before all present. I did not think any attempt was made at concealment. Mr. Sherman made no remark whatever to indicate what direction I should give my testimony, except to intimate, by some gesture, that he did not wish to listen to it.

THOMAS A. MINARD.

LEAVENWORTH CITY, K. T., *May 22, 1856.*

CHARLES HARDH called and sworn.

I settled in the Territory on the 22d of June, 1854. I emigrated from Missouri and settled in the thirteenth district, and reside there still. I was one of the candidates for representative on the 30th of March, 1855, and was a candidate up to the day of election, when I withdrew at the commencement of opening the polls the second time. The reason I did so was because the judges appointed by the governor were ordered away by some persons in the crowd who were strangers to me. I then saw that there would be difficulty, and withdrew. I voted that day. I do not know whether the citizens, as a general thing, voted or not. I left, immediately after I withdrew, from about the polls. I handed in my ticket to one of the persons acting as judges about five o'clock in the evening. I did not see persons vote, as I was not about the polls.

I knew some of the persons who resided in Missouri when I was there. One was Colonel David Hunt, who had a claim on the Stranger; but I do not know as he ever resided on it. I do not know where his family resides. Mr. Tebbs was my opponent; there was

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but one candidate on each side for representatives. Mr. Rees and Mr. Eastin were the candidates for council. Twombly and Whitney resided at Grasshopper Falls, but I never heard their names in connexion with the candidacy.

Cross-examined by John Scott:

As far as I know, the judges appointed by the governor entered upon the discharge of their duty according to law. There was a vote handed in which they refused to take, and then the row commenced, so I understood. The man who first handed his vote was Mr. Raley, of Weston, Missouri, so he told me himself, and it was refused for some reason, he could not tell what. I do not know whether he was a legal voter or not, except that he has a store in the Territory, but his family resided in Weston. I do not know as there was any other head of his family but himself; he lived in the Territory himself at the time of the election. I understood it was on account of refusing to receive his oath that the crowd became excited and ordered the judges to leave the polls, and they quietly withdrew. I saw them come out with the poll books in their hands. I do not know of any threats of violence being used towards them, or whether they were quietly requested to withdraw.

I do not know how other judges were appointed, though there were persons acting as judges when I looked in in the afternoon at five o'clock. I withdrew from being a candidate by the request of my own party, who said they wanted to go home and would not vote at that election. I was on the returns, notwithstanding, as a candidate. I believe I got three votes. I requested of the recording judges to scratch my name from the poll books, but they refused, as they said I must run as a candidate, having been brought out. I belonged to the free State party, and voted for Tebbs, the pro-slavery candidate, as there was a private arrangement between us that we should vote for each other. That arrangement was made in the evening of the election, just as I voted. He handed me a ticket, and said that was one of his tickets, and if I would vote his ticket he would vote mine. I made the request of the judges to take my name off the poll books in the evening of the day of election. There was some excitement about the polls when the first judges refused the vote offered; some excitement on both sides, but I don't recollect of being any threats.

To Mr. Sherman:

Bailey's store was at Osawkee, in the thirteenth district, about ten miles from the place of voting. His son had charge of the store. I do not recollect of hearing him say whether he was asked to swear or not. I believe I made the request of Mr. Tebbs for the arrangement I have mentioned between us, but it was mere childrens' play on my part than anything else. After the excitement in the morning, the election went on very quietly, as there was but one side to it.

To Mr. Scott:

There was no more excitement at the polls, then, that day at any time than was usual in western stores at elections.

C. HARDH.

LEAVENWORTH CITY, K. T., May 22, 1856.

G. M. DYER called and sworn.

To Mr. Oliver :

I first came to this Territory in 1853, and first stopped in the Pottawatomie country, and then went to Osawkee in July, 1854, and have resided there ever since, in the thirteenth district. I was at Hickory Point at an election held on the 30th of March, 1855, for members of the territorial legislature, and was present at that election. The judges appointed by Governor Reeder were Mr. Corey and Mr. Atkinson, and one of them I do not recollect. They did not act as judges during that election, but resigned. I did not hear them give any reasons for resigning. My brother applied the first man to vote, and they rejected it because his family was not in the district, though they had been in the Territory for seven years. My brother had resided and done business in Osawkee since 1854, and has done business there ever since. He had had a store there previous to 1854, but had moved away for a time, going there in 1850 or 1851. At first Colonel Raley offered to vote, and his vote was rejected. He had resided in that district many a year previous to that time, that is, he had been doing business in Osawkee; had his family there since November, 1854; was appointed by Governor Reeder judge of elections, and served as such. Governor Reeder had stopped at Colonel Raley's house several times. These judges then resigned, and others were chosen by the people, in accordance with the instructions of the governor. That election then proceeded in a quiet and orderly manner, so far as I saw. I noticed no attempt to prevent any one from voting by any means. There were a good many resident voters out that day. I saw free State men vote that day. I went with three of them to the polls, and they voted as quietly as any of the rest did. Dr. Tebbs, the one elected to the legislature at that election, came to the Territory, I think, in August, 1854, and has resided there ever since. I should suppose there were no resident voters in that district at that time. I was a resident in the district then, and had a pretty good opportunity to find out who were the residents, and had been appointed postmaster there. I think the pro-slavery party had five to one in that district at that time. I came to that conclusion from all my means of information. I do not think the pro-slavery party is so strong there now, but I think they are two to one yet.

I am acquainted with the general character of Dr. Noble for truth and veracity, and it is rather a bad one, so far as the prevailing sentiment goes. Do not know so much about it among his immediate neighbors, as I lived some distance from him, but among those who live four or five miles from him both parties speak very disparagingly of him. Am pretty well acquainted with Charles Hardh's general reputation for truth and veracity, and it is pretty bad. I do not think he would tell the truth if he could find a lie to tell, but I do not think he would swear to a lie. His neighbors will not believe what he says, his reputation concerning truth and veracity is so bad.

I know of some free State men who voted for Dr. Tebbs that day. Among them were two, Mr. Bushings and Mr. Carpenter, and Charles Hardh told me he voted for him. I know three men in the district by the

name of Gardner, and one of them was one of the judges of the election on the 30th of March, 1855. I do not know of any in the district by the name of Gregg and Arnold. I know some by the name of Walker and White. None by the name of Breckenridge or Pemberton, though I have heard of the Pembertons. William Carpenter resided there, as did John Myers.

Cross-examined by Mr. Howard :

My knowledge of the district at that time was confined more particularly to Osawkee and around there. The district was a pretty large one. I do not know whether my brother and Colonel Raley refused to take the oath prescribed by Governor Reeder, and I do not know whether they were asked to take that oath or not. I did not hear how the matter was decided at that time, but I understood from my brother, Colonel Raley, and others, what were the grounds of rejecting their votes.

G. M. DYER.

LEAVENWORTH CITY, K. T., *May 30, 1856.*

O. B. TEBBS called and sworn.

To Mr. Oliver :

I resided, on the 30th of March, 1855, at Osawkee, in the thirteenth district in this Territory, and had resided there since August, 1854, and have resided there ever since. I attended an election at Hickory Point, on the 30th of March, 1855, for members of the legislature. I did not see the first judges appointed by the governor, and who resigned. The second set of judges were Mr. Chandler, Mr. Gardner, and Mr. Hopewell, and were chosen by the voters on the ground after the first judges resigned, and, as I understood, according to the instructions of the governor. I was an acting justice of the peace at that time, under the appointment of Governor Reeder, and administered the oath of office to the judges. I was tolerably well acquainted in that district; and I should suppose there were two hundred, perhaps a few more, resident voters in the district at the time of that election. I was present during that election; and, so far as I saw, the residents of the district who were there voted, except some few gentlemen, who told me during the day that they had not voted, and did not know as they would vote. I should suppose that the pro-slavery party was five to one of the free State party, as the district was almost exclusively settled by Missourians. I thought the free State party was pretty generally out that day, as far as I know—there ten or twelve of them. A party of over five or six did not vote, as I saw, and they have since told me they did not vote. Others of the free State party did vote. I saw no attempt that day to intimidate men from voting. I was asked by Charles Hardh if there was any danger, because he was a free State man. I told him there was none. I did not consider that he was at all frightened. Subsequent to the election, there was a personal quarrel between two of opposite politics, and I stepped in and stopped that; but it had no

reference to the election. The intercourse between all of both parties that day seemed to be friendly and pleasant. My brother, who was elected a member of the house of representatives of this Territory, has been residing in the district the same time I have. He had a claim at that time; had a large number of cattle, and had hired persons to put his claim in a state of cultivation. He himself devoted his time to practice as physician. He went there to reside permanently in August, 1854. I purchased a claim for \$250. He left his family in Missouri, because he owned a comfortable house there they could live in, and had not a comfortable house in the Territory. His wife was a very delicate woman, and he did not desire to bring her into the Territory, where he had such indifferent accommodations. He was advised not to put up comfortable buildings on the lands then, as they were Delaware lands, and we were liable to be driven off at any time, and therefore he did not put up any comfortable houses. We both went out there for the purpose of settling permanently, and become *bona fide* settlers; and we have been residing there ever since, bringing our families over shortly after the election. I considered that when I went there I ceased to be a citizen of any other place, and a resident of Kansas Territory in good faith. My brother had the same intention as myself, I have no doubt at all. We had adjoining claims, and were interested therein together from the first.

I am tolerably well acquainted with the general character of Dr. Noble for truth and veracity, and it is very bad. I have heard thirty men speak of him, and all spoke of him alike. Both were from his own immediate neighborhood, and from other places. I am also acquainted with the general character of Charles Hardh for truth and veracity. He is in the habit of telling long tales and yarns without truth in them; but I never heard that he ever told lies for any malicious purpose. Dr. Noble was regarded as a malicious liar, and I would not believe him under oath; but I could not say I would not believe Charles Hardh under oath.

O. B. TEBBS.

LEAVENWORTH CITY, K. T., May 30, 1856.

A. B. SHARP called and sworn.

To Mr. Oliver:

I resided at Osawkee on and prior to the 30th of March, 1855, and located there in the fall of A. D. 1851; was at the election on the 30th of March, at Hickory Point; was clerk of that election; was appointed by the judges appointed by Governor Reeder; those judges did not act during that election, but resigned. I think Mr. Dyer was the first man who offered to vote; the judges refused his vote on the ground that his family was not living in the district. Mr. Dyer has been living in the Territory since 1847, and had been doing business at Osawkee since 1851, and had resided there up to the time of the election, and has resided there ever since. Colonel Raley was the next man who offered to vote. He had been appointed a judge of election by Governor Reeder, at the election of the fall of 1854. His vote was

rejected by the judges and the judges then resigned. Colonel Raley had been a resident some time previous; he had been a judge of election in November, 1854; he had been there frequently since that election, up to March 30, 1855, but was not there all the time; he was merchandizing there before the 30th of March, 1855, and has been since; he has a claim there now and had at that time. After the judges appointed by the governor had resigned, other judges were elected by the voters present, as I understood, in accordance with the instructions of the governor. I do not remember what reasons the judges gave for resigning. Mr. Eastin and Mr. Rees for council, and Dr. Tebbs for house, were the candidates on our side, and Mr. Whitney and some one else for council, and Charles Hardh for the house, on the other side. Mr. Cora, one of the judges appointed by the governor, I do not recollect ever said anything to me about what he considered the qualifications of those voters who were rejected. I am not very well acquainted with the strength of the two parties in that district, but I think that at that time the pro-slavery party had a majority of five to one. I suppose there were, at that time, two hundred, perhaps more, resident voters in that district. I think there is a pro-slavery majority there now as large as at that time. So far as I saw the election was conducted very orderly. I saw no force or opposition employed to prevent any one from voting, or any disturbance with reference to the election. I do not personally know Dr. Noble. I am acquainted with the general character of Dr. Noble for truth and veracity, and it is very bad. I am acquainted with the general character of Mr. Charles Hardh for truth and veracity, and it is much like Dr. Noble's.

Cross-examined by Mr. Howard :

I think there were about two hundred voters in this district at the time of that election, and pretty much all were pro-slavery voters. I could not say how many free State voters were there. There may have been fifty in the district. I have no accurate knowledge, never made calculations, but my general impression is that the pro-slavery party had a large majority. I was living at Osawkee at the time of that election, and Dr. Noble lived some seven or eight miles from there. When I speak of his reputation for truth and veracity, I refer to the neighborhood around for eight or ten miles; the county is not very thickly settled, and Dr. Noble is considered in that neighborhood; I have heard his nearest neighbors say he was not a truthful man. I heard his reputation for truth and veracity ever since he came into the neighborhood, and the common talk is, that he is a liar. I do not know how many I have heard speak of it, for I do not often listen to a man speaking of Dr. Noble, for it has been dinned into my ears until I am tired of it. Some of the persons in this district knew Dr. Noble before he moved there, and ever since he has been there I have heard this of him. Charles Hardh was never a very bad liar, but yet he is a pretty good fellow. He does not tell malicious lies, or mean any harm by them, but yarns and such like. I used to know him before he moved there, when he was boarding out on that road, towards Fort Riley. He used to haul goods for McDon-

ald, who had a trading place at Osawkee. I have heard a number of persons say they would not believe Dr. Noble, perhaps twenty, perhaps fifty, I cannot tell; the same may have told me the same thing about him several times.

A. B. SHARP.

LEAVENWORTH CITY, K. T., *May 30, 1856.*

WILLIAM H. TERBS called and sworn.

To Mr. Scott:

I resided in Jefferson county in this Territory, formerly the thirteenth district, at the time of the 30th of March, 1855. I have resided there since the summer of 1854. I bought a claim immediately upon coming into the Territory, and have worked upon that claim ever since. My family was not brought into the Territory until more than a year afterwards, because I had not sufficient accommodations for a family. My family was small, and I preferred to board them in Platte county, Missouri, while I myself lived on my claim altogether. The only business I have carried on since I came into the Territory was on my claim, and all the business I have done out of the Territory has been to settle up my affairs in Missouri. Previous to my election as a member of the Territorial legislature I had a saw mill in operation, and had hired a man in Missouri to work in my mill. That man sued me in Missouri, in company with my partners in the mill. A summons was left in Missouri at the place where I usually stopped when there, and where my wife boarded. I believe a lawyer was employed by one of the partners, but I was not present at the trial and took no part in it, and some justice of the peace (so I have understood) decided that I was a resident of Platte county at that time, but upon what ground I do not know. I had previously acted in this Territory as judge of election, under appointment by Governor Reeder, and was then serving in the legislature under a certificate of election given me by Governor Reeder. My brother also came into the Territory with me, and was in company with me in business here, and had the same kind of residence here as I did. He was, on the 30th of March, 1855, acting as justice of the peace in this Territory, under an appointment from Governor Reeder, at the time of the 30th of March election. I suppose I was as generally acquainted with the residents of the thirteenth district as any other man in it, as I had been there for months previously, and had been generally a public man. So far as I knew the people of that district I think I was acquainted with their sentiments upon the subject of slavery, and my opinion was, after making calculations, that the pro-slavery party had a majority of three to one in that district. One ground of my opinion was, that, at the previous election of November, when the only question mooted was the slavery question, General Whitfield, the pro-slavery candidate, received sixty-nine out of the seventy votes given in that district. On the 30th of March, 1855, Messrs. Eastin and Rees for the council, and myself for the

lower house, were the pro-slavery candidates. As near as I can recollect, Mr. Twombly and Mr. Whitney for council, and Mr. Hardh for the house of representatives, were the freesoil candidates. Mr. Biddle was an independent freesoil candidate, so I understood. The election was held at the house of Charles Hardh at Hickory Point. The judges of election appointed by Governor Reeder were Mr. Carey, Mr. Atkinson, and another I do not recollect. They opened the polls, and, on some account, resigned shortly afterwards. One of the judges, Mr. Atkinson, said that he resigned because he could not proceed under the instructions of Governor Reeder and act fairly, and, to use his own words, "as he found the election was going all right any how. He thought other judges could be appointed who could act more properly than he could." He was a freesoiler, but he was in favor of my election. I do not know that Mr. Hardh, the free State candidate, withdrew from the election about the time the polls were opened. There were some free State men who voted for me that day. Mr. Hardh, the free State candidate, told me himself that he preferred my election to his own. And in a free State convention to nominate a free State candidate, some time before the election, I received within one or two votes as many as did Mr. Whitney, who received the nomination for council.

On the day of election there was no interference with voters, as far as I saw, and I heard no complaint of anything of that kind from any one that day. A party of free State men were there who did not seem inclined to take part in the election, and I went to them and told them that they could come and vote for whom they pleased without molestation from any one. Other persons gave them the same assurance. They replied to me that they thought it was unnecessary. The only man I saw armed that day was a free State man, one in this party to whom I spoke. I saw some persons on the ground that I know do not reside in the district now, but I do not know where they resided at that time. There were some there whom I had known in Missouri, and I think may have resided in Missouri at that time, and were so regarded by the free State party. There may have been some twenty or more who may have been so regarded by the free State party, and if all those Missourians had voted I should have had a majority without their votes. The free State votes alone that I received would have elected without their votes. At that time I knew of no Lykins in the district, though there may have been. I know one of them of the name of Gardner, and also some by the name of Gregg. I do not know as I knew any persons there by the name of Williams. I had heard of a Mr. Arnold in that district. I knew a man of the name of Walker there; two persons by the name of White. I knew a man there named Albert Mason at that time. I did not know a Breckenridge there, but heard of one there before the day of election. I do not know whether a Mr. Marshall resided there before the election or not. I knew two Pembertons there, and a William Carpenter, frequently employed by me, and a free State man. I knew a Mr. Jeffrey, and heard of another Mr. Jeffrey there. John Myers had lived in the district for three years previous to the extinguishment of the Indian title. I knew a Mr.

Cox there. I knew Smiths in the district previous to that election. I saw many resident voters on the ground that day. I should judge there were at least 150 of them I knew to have been resident voters. There may have been more or less. Some twenty-five or thirty went up with me from the neighborhood of Osawkee. I do not know Dr. James Noble personally, and I do not think there is a man in Jefferson county who bears a worse reputation. His general reputation in my neighborhood as to truth and veracity is, that he is a notorious and unscrupulous liar. I know the reputation of Charles Hardh in his neighborhood for truth and veracity, and it is very bad.

Cross-examined by Mr. Howard :

At the freesoil convention I have referred to, I have been told that there were some twenty persons there. I was not present myself, but I was told, as near as I recollect, that I received nine votes and Mr. Whitney ten votes for council. This conversation was held at Mr. Hardh's some time, not very long, before the election. Of my own personal knowledge I know nothing about it. I know only by hearsay. I did not authorize my name to be presented to that convention. I think Mr. Charles Hardh and Mr. Hudson put my name forward. I think I have heard there were pro-slavery men there at that convention, but Mr. Hudson is the only one I now recollect.

I consider a man a resident of this Territory when he has made a claim here, and made a demonstration that indicated that he is going to settle here; is upon his claim and declared that he intended to be and remain a resident, whether he had his family with him or not. I think that three-fourths of those who voted in the Territory and who are now residents, with no families with them at the time of the election, because they had no accommodations for their families. I resided for two years previous to my coming into the Territory, and had lived there some five years before that in Platte county, Missouri, and was pretty well acquainted with the residents there. I saw a good many men on the ground the day of the election I formerly knew in Platte county, but they may have all been residents according to my definition. I knew two or three there on that day who now live in Platte county: David Hunt, Green White, I think Lycurgus Sheperd, formerly sheriff of Platte county, and others I do not now recollect. There was a number of persons there I did not know. I saw no man vote. I never knew of any arrangement or invitation for voters to come in our district at that election. I was frequently asked if men should be sent to our district from Missouri to vote, and I always told Missourians who asked me that there was no necessity for that as we could beat the freesoilers three to one, and I suppose for that reason they did not come. I think there were upwards of 200 votes given that day, and I think I received all but three; one of the three I gave myself. At the previous November election I think that 70 votes were cast; 69 for Whitfield and 1 for Flanigan. I know men in our district who did not come to the election on account of the distance. I lived about 10 miles from where the election was held on the 30th of March. Mr. Gardner lived on Walnut creek, I think about 4 or 5 miles from Hickory Point. He is a farmer, and came

from Missouri. Mr. Gregg lives on Cedar creek ; he made his claim on the Grasshopper about the time I came into the Territory, and afterwards sold out. Mr. Arnold lives, I think, on Crooked creek, some three or four miles from Hickory Point. Mr. Walker lives on the Grasshopper, about four miles above me ; I do not know what his first name is ; before Whitfield's first election he lived in the district. Mr. White lived on Big Slave creek, about four or five miles from Hickory Point. I do not know where Mr. Breckenridge lived ; I do not know as I should know him. Mr. Marshall lived on Crooked creek, some four or five miles from Hickory Point, so I have understood : I do not know when he moved into the district, and do not know him personally. The Pembertons lived on Walnut creek, and moved in the district about the time I did. William Carpenter, after leaving his wife, went back to Illinois. Mr. Jeffries told me he and his sons had claims on Crooked creek ; he came from Clay county, Missouri. John Myers, I understood, had been employed by different individuals to herd cattle, &c., for three years before the Indian title was extinguished. Dr. Noble lives at a place he calls Jacksonville, some 10 or 12 miles from where I live ; I have heard of him ever since I have been in the Territory, but I do not know him personally ; his reputation for veracity in my own neighborhood, so far as I know men who know Mr. Noble personally, though there are few of them, is very bad ; and I know persons in his own neighborhood who know him, and they give him the same reputation ; among them is Mr. Hopewell, an acting commissioner of the county of Jefferson, and others I should not like to name. Mr. Hopewell has told me of Dr. Noble's general character for veracity several times : one time, I think, during the last term of the circuit court held at Osawkee. I understood from him that Noble was ordinarily a liar, and there was no use in believing him. I have heard several persons who have so stated ; I know those who so testified before the grand jury as to his character. I have heard others say so elsewhere. Every person whom I knew from his neighborhood gives the same account of him. I know of other persons who speak of this but I decline to mention their names, as I do not think it is necessary. I do not know as I should know Dr. Noble if I saw him ; I do not know as I ever saw him. I first heard something said against his veracity about two months ago, about the time of the sitting of our court ; but even before the March election I had heard him spoken of quite hardly in connexion with the murder of a man named Davis in the district, and an effort was made to indict him as accessory to that murder. Mr. Hopewell never had anything to do with this effort at indictment and I never heard of it until it was brought before the grand jury, of which I was a member. Most of the witnesses were free State men I think. The murder I think resulted from some quarrel about a claim. I am quite friendly with Charles Hardh and have long been on intimate terms with him ; I voted for him and believe he voted for me. Common reputation among all who knew him, both in Platte county, Missouri, and in our district, was that he was a liar ; I never heard any one call him a truthful man. Charles Hardh is not a common associate of mine ; he keeps a tavern and I often find it convenient to stop there to take

meals with him, and I regard him as I would a landlord and treat him as such ; but I do not make a bosom friend of him. So far as our intercourse extends we are on friendly terms, in no sense enemies, but I do not regard him as a truthful man.

Question. What other persons have you heard besides Mr. Hopewell speak of the character of Dr. Noble for truth and veracity?

Answer. I have heard three or four or five respectable persons of his neighborhood speak of it, but I decline mentioning their names.

Question. Do you decline to mention their names on the ground that it would involve you in personal danger and difficulty?

Answer. It is not upon the ground of apprehension of personal danger and difficulty to myself. But knowing the common prejudice in regard to having their names brought into public in this connexion, and being ignorant of the feelings of those who have made these statements to me, out of respect to them I would decline giving their names. I do not decline to give up the names out of any fractious spirit, but if it becomes absolutely necessary I will give their names.

To Mr. Scott :

After the March election I never voted in Platte county, Missouri, at any August election there. I was sitting as a member of the legislature for this vicinity at that time. The last vote I ever cast in Missouri was in 1854.

WILLIAM H. TEBBS.

LEAVENWORTH CITY, K. T., May 30, 1856.

FOURTEENTH DISTRICT.—*Burr Oak precinct.*

A. A. JAMISON called and sworn.

Examined by Mr. Reeder :

I came to the Territory, I think, the first of October, 1854, and settled four and a half miles west of St. Joseph's, near the Burr Oak voting place in the fourteenth district. I came from St. Louis, Missouri, to the Territory, but was formerly from Ohio. I have resided in the fourteenth district ever since.

I was at the election of March 30, 1855, at the Burr Oak precinct. On the 29th day of the month, in the afternoon, towards evening, some ten or dozen wagons came over the ferry from St. Joseph's to the place and camped upon the ground west of the place. They brought provisions with them. There was a firing of fire arms during the evening until late in the night. I saw them passing as I was at the road. The next morning the firing begun again. I went up to the place of voting early in the morning, and they soon began to come in from St. Joseph's and continued coming. I did not count them, but as near as I can make an estimate of the numbers who were not citizens of the precinct, I should judge there were something like two hundred.

They were well armed with rifles, pistols, Bowie knives, and even "war clubs," as they termed them. About fifteen minutes before the polls were opened the candidates of the free State party proclaimed that the whole free State ticket would be withdrawn and the pro-slavery party could have the field to themselves. General Stringfellow, of Weston, was there—I was not acquainted with him, but he was pointed out to me by those who said they knew him—stepped up to Major Fee, who was a free State candidate, and asked him to get up on the fence and proclaim it aloud, so that the party might hear him. He did so, and there seemed to be great rejoicing, hats flying, halloing, &c. There were two opposing candidates of the pro-slavery party for the council, Major William P. Richardson and Captain John H. Whitehead. Captain Whitehead mounted a stump and made a speech, and told the company that he and Major Richardson did not differ any as regards the slavery question. There was some misunderstanding in getting up the ticket; some advantages, I believe, had been taken by one of the party. He explained it to the audience, and requested the Missourians to stand back and let the actual residents of the district settle the question between him and Major Richardson, as the field was then clear. The voting commenced, and was continued from that time till sundown. There was a party selected towards evening of good fighting men to stand and protect the polls until they were closed and they saw that all was right. Their reasons for forming such a fighting party, as they said themselves, was, that they were afraid the free State men would come in and vote towards evening. There were some votes cast by the free State party, probably a dozen or fifteen—I cannot state particularly about that—for Whitehead. I did not vote, and did all I could to prevent any of the free State party from voting after their ticket had been withdrawn. The reasons for withdrawing the free State ticket and my not voting were that the numbers of the Missourians were too great for the actual settlers of Kansas Territory, and also to prevent bloodshed; those were the reasons given. Through the day, some time about the middle of the day, I noticed a barrel said to be whisky, and I saw persons drawing from the barrel and drinking. I saw a great many drunken men there that day. I saw a good many persons there from St. Joseph's with whom I was well acquainted. Some of them I saw vote. Their vote was challenged, and it was requested to swear them, which they declined doing, and it was not done. After the election they returned towards St. Joseph's. A great many left before sundown.

Of the three judges appointed by the governor to act at that election but one served, who was Corey B. Whitehead. He appointed two to fill the vacancies of Albert Heed and H. J. Johnson. I saw General Stringfellow writing, and I think he acted as clerk part of the day. One of the two judges appointed by the governor that did not serve was on the ground.

By Mr. Sherman:

I heard no threats of bloodshed myself in the morning before the free State ticket was withdrawn. I asked many of these strangers

where they resided and they said they lived in Missouri and came over to vote for Major Richardson.

By Mr. Reeder :

I was acquainted with nearly all who lived in that precinct, at least a majority of the residents there. I do not think if the whole number of votes of the actual settlers of the precinct had been polled they would have numbered over 60, perhaps not over 50.

The threats I heard after the free State ticket was withdrawn, were not to take life. I saw some fighting by fisticuffs. I saw a man about five minutes after he had been shot, but I did not see it done. I saw others who had their heads badly cut with clubs and stones.

These Missourians said that they considered that five minutes gave them as much right to vote in the Territory as any man had who had been living there a year. Major Richardson made a speech, in which he said he really hated a freesoiler, and he would get up at the latest hour of the night and go a mile to disturb him. I have never been at General Richardson's, though I have been within a quarter of a mile of his house in Missouri. The first I knew of him he was residing in Missouri, about 2½ miles east of St. Joseph's. He came over to the Territory and took a claim and erected a portable saw mill on it. It was a timber claim. I think the mill was erected in the fall to cut lumber all winter, but it was not for sale. I know of but one man who got a foot of it, and he was obliged to have it for certain purposes, and there was none to be got on this side of the river except of Richardson. On the evening previous to the election, I saw Hon. Willard P. Hall, of St. Joseph's, bringing Major Richardson's lady over in a carriage on this side of the river. The day after the election I saw them returning to Missouri, Major Richardson being then in company with them.

By Mr. Sherman :

To my knowledge that was the only time Mrs. Richardson has ever been in the Territory. Major Richardson still keeps up his house and farm in Missouri.

By Mr. Reeder :

The lumber cut by Major Richardson's saw mill was for his farm in Missouri, and was taken to St. Joseph's by Mr. Dillon's ferry. I do not know as I have seen Major Richardson in the Territory since last fall.

I saw no persons sworn on the day of the election, and do not know that there were any sworn. The time was so short, I consulted with a good many of our people in regard to it, that it was concluded not to contest the election. I then proposed that we should write to the government about it. That was one reason why the election was not contested. Another reason was that threats had been made that if the election was contested there would be greater numbers at the next election.

By Mr. Sherman :

I am well acquainted with that district, and have been living there

since October 1854. I took a claim when I first came, and I still hold it. I have been in no particular business since I have been here, but have been pretty much over the Territory, and know the most of the persons in the precinct. I made it my business to go about and ascertain the feelings of the people in regard to the slavery question, and from what I learned I have no doubt that a majority of the residents were free State men, and we expected to elect our candidate if these Missourians had not come over. Benjamin Harding for council, John Fee and Alfred Larzelere for the assembly, were the free State candidates.

I have examined the poll books of Burr Oak precinct, for the 30th of March, and find thirty-four names of residents of the district there which I know. My opinion is that there may be a few others there who were citizens, but strangers to me. The rest I think were strangers to the district. I have the names of persons on the poll books I was acquainted with as residents of Missouri. There are twelve of them, and I believe but one of them resides in the Territory now. I saw several of them vote. There were many persons there I was well acquainted with, who took an active part in the matter, but did not vote. There were half a dozen attorneys from St. Joseph's, of which Bela M. Hughes, Colonel A. M. Mitchell, Colonel Silas Woodson, General Bassett, John Scott, Willard P. Hall, and Mr. Cunningham, were of the number.

It is called ninety miles from Burr Oak to Shawnee mission, the way we have to travel. I do not recollect that boats were running on the river at that time, but judging from the season I suppose there were.

Rev. William M. Irish, William Davis, Dr. F. Purcell, O. H. Craig, merchant of Savannah, Samuel Blair, A. G. Mansfield, F. A. West, William K. Richardson, F. M. Morse, Charles M. Gilmore, B. McCall, William P. Richardson, are on the list, and I know them to have been there from Missouri. Two or three of these persons held claims at the time of the election, but were residents of Missouri, never having removed upon their claims. After they had sold their claims, they still remain in Missouri, with one exception, who has bought a claim in the Territory, and is now living on it; that is, F. M. Morse, of St. Joseph's. I do not know whether William P. Richardson has sold his claim or not.

I find on the poll lists the names of thirty-four resident voters of the district, as follows:

Names of resident voters in the Burr Oak precinct, whose names appear on the poll books.

E. Blackstone,
William Deekerd,
A. Longshore,
J. D. Armstrong,
John M. Tracy,
R. Meyers,
H. Thompson,
John Copeland,

H. Smallwood,
B. H. Brock,
William Palmer,
John Fee,
James B. O'Toole,
Peter Caduc,
John Trotman,
H. L. Creal,

E. Copeland,
J. J. Lovelady,
M. E. Bryant,
John McCafferty,
Joel P. Blair,
C. W. Stewart,
Matthew Hes,
James O'Toole, sen.,
Thomas C. Stewart,

Thomas W. Watterson,
A. Grow,
W. G. Fee,
J. R. Whitehead,
Laply Ralph,
Albert Heed,
Cary B. Whitehead,
H. J. Johnson,
William A. Hill.

Cross-examined by Mr. Rees:

Major Richardson had a claim here at the time of the election, and had a house on it. I have never seen him on his claim, though I have often seen him in the Territory. I do not know as he had any stock on his claim. I know that he spends a good deal of his time in Missouri, though I have never been at his house. I do not know that he or his family are not frequently on his claim. I have not seen him or his family in the Territory since last fall. I think he has but an only child, a daughter, now married, so that his family consists of his wife and himself only.

By Mr. Reeder:

This is the same General Richardson who had command of the troops here last fall during the war.

By Mr. Rees:

Of the man who was shot I cannot say and do not know who shot him, or the cause of the difficulty leading to his being shot. I do not know what was the cause of the fist fight, though it took place at the time of the shooting.

By Mr. Reeder:

No answer was made to the proposition of Mr. Whitehead for the Missourians to stand back.

A. A. JAMISON.

TECUMSEH, K. T., *May 6, 1856.*

WILLIAM P. RICHARDSON called and sworn.

Examined by Mr. Oliver:

I first came over into this Territory in May or June, 1841, and stopped at the Nemaha agency, 24 miles from St. Joseph's, Missouri. I was a resident of the Territory on the 30th of March, 1855. I went into the Territory some two or three weeks before the election of November, 1854, and bought a claim and gave \$250 for it. I was a candidate for council at the election of March, 1855, in my district. Benjamin Harding and Captain Whiting, Thomas J. Watterson, Joel Blair, and a man by the name of Larzelere, and Mr. Fee were the other candidates. This was in the fourteenth district. It is stated in the evidence of Mr. A. A. Jamison that I was not at that time a citi-

zen of Kansas Territory. That is untrue; I was not a citizen of Missouri, and to my knowledge did not own one inch of land in Missouri.

I did not hear of any man being shot at that election, and I do not believe that any man was shot there. I was present at the election all day.

There were a great many Missourians there; I should think 400 or 500, some say only 300. I knew a good many of them, and there were a good many of them I did not know I believe were from Missouri. I did not see one of them vote, though there may have been some of them who voted.

The election of that day was orderly. The free State candidates withdrew, I think, an hour before the election commenced. I did not hear an angry word that day about voting, and saw no efforts to intimidate voters. The window at which votes were received was clear half the day, and they were calling out for voters. There was a family living in one end of the house. I saw no arms that day on these men. I had weapons, but always have carried them since I was an Indian agent, but that day not because I thought there would be any difficulty. I saw none of the pro-slavery party offer any indignity to the free State party. I heard of one difficulty between a free-soiler and a pro-slavery man, but I did not see it. There were several among the pro-slavery men along in the afternoon, as I heard, but I did not see them. The first fight took place one hundred yards from the polls, at a liquor store, kept by a Frenchman, who I think is a free-soiler, but I am not certain, as he speaks very bad English. Mr. Harding, Mr. Larzelere, and Mr. Fee, the free State candidates, withdrew, Mr. Fee, for them, making a speech to that effect. Captain Whitehead, I think, made a speech, and I answered him. He was my opponent. He says he is not a free State man. There was a primary election held, in which he was beaten, and he still run as a pro-slavery man against me. There were no free State candidates that day. I think I received 234 votes that day, and Captain Whitehead 68.

I was not well acquainted enough in the district to tell the number of actual residents there, but I thought I knew the relative strength of parties there, and that the pro-slavery party had 50 majority; others thought there were more majority. All the votes of that district, both for councilman and representative, were taken at Burr Oak. From my canvassing that district I was satisfied there was a majority of the pro-slavery party in that district, and I told the Missourians not to vote; and I do not know as one of them voted. Some of the free State men voted that day, I should think upwards of forty. I do not think Captain Whitehead got more than twenty pro-slavery votes. I think I got twenty free State votes. I could name many free State men who voted for me, and I think I received more free State votes than he did pro-slavery votes; and I think about fifteen free State men went away without voting for either of us. One of the free State men was very active in my behalf. I have no doubt if there had been a free State candidate I should have received a majority of the votes of the actual settlers of that district. I should be willing to say the same in regard to the pro-slavery candidates for the house of repre-

sentatives at that election. Blair and Watterson received a number of free State votes; they were on the pro-slavery ticket.

I conversed with many of the Missourians who were over there that day and they said they expected an emigration of about 150 voters in that precinct, and they came there for the purpose of objecting to their voting, and if they did vote they would vote themselves. They said they would not have come but for that, and I begged them not to vote because there was no necessity for their voting. There were but two who said they would vote for me, though others may have done so, but I do not know that they did.

In my speech that day I said this, "that I would get up and go a mile bare footed over frozen ground to strike a blow at their principles, but I would legislate for them as I would for pro-slavery men, and I thought if any free State men who were honest in their principles were there they would vote for me, as I did not tote water on both shoulders." I said nothing against the free soilers' persons, only their principles.

My wife has been in Kansas Territory many times. I have a pretty good farm in the Territory and stay there most of the time, and have from \$5,000 to \$7,000 worth of property in the Territory most of the time, just as my servants pass to and fro. I go over to Missouri on a Saturday night and come back Sunday night. I have about 250 head of cattle in the Territory and have exercised no rights of a citizen of Missouri since I have been in the Territory. My wife stays most of the time at Mr. Hall's, for he married our only child. She comes over to see me at times and I go over to see her. I received thirty odd votes that lived within two miles of my cabin, and Mr. Jamison has not given one of them in his list. Some of these thirty odd are now residents of that district and all were at that time. The thirty-nine Mr. Jamison has given are in his immediate neighborhood, in the bottom opposite St. Joseph's, except two or three who live up Peter's creek. I live in the bottom above that. James R. Whitehead lives a mile and a half from me, and Mr. Jamison has given no names above that; that is the nearest one to me. I do not remember of ever seeing Mr. Jamison about my claim and never heard of his being there.

My wife was at home when the assessor came and he did not assess, as he said at the time, correctly. He trusted me for some names and I may have forgotten the names of some, though I thought I knew all of them. I have paid no taxes in Missouri since I came to the Territory, though at the time of the election I did owe some of the previous years' tax in Missouri. I gave it to my son-in-law and have had nothing to do with it or the profits from it myself since the election, except the then growing crop.

Some of our boys came up from the grocery in the evening, where we had something to eat and to drink set out there. The freesoilers eat our provisions and drank our liquor. I asked them to come up. Some of our boys who came up got into some little fights among those of our own party.

Cross-examined by Mr. Sherman:

I emigrated from Missouri to the Territory from Buchanan county.

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I gave my farm, upon which I was living before I went to the Territory, to my son-in-law. The farm was spoken of generally as my farm; I had my servants and property there. I made the claim I now hold in the Territory in November, 1854, and I remained there during the winter, my wife living with my son-in-law, and that was the case at the election. I was nominated in the Territory a few days before the election. At the primary election I was voted for, I think by ballot, and got the nomination. The free State men had no primary election. They were withdrawn because I think they knew they would be beaten. I do not know who paid the expenses of these Missourians who were over then; I paid nothing of it. They said they came over to counteract eastern votes. We heard of them and believed they were coming. The only reason I ever heard assigned for these Missourians coming there was to counteract the votes sent by the Emigrant Aid Society. I never heard the free State candidates say when they were withdrawn that they did so because there were non-residents there. Bela M. Hughes, Colonel A. M. Mitchell, Colonel Silas Woodson, General Bassett, John Scott, and Mr. Cunningham, I know are all lawyers, and are all citizens of St. Joseph's. I cannot state the names of the thirty odd persons I have stated as living near me, but will furnish a list of them. General B. F. Stringfellow was about there at the time of the election, but if he served as clerk of the election I did not know it. I do not know that the free State candidates withdrew because the Missourians were over there. I do not know how many voters there were in that district. I do not think there had been a great deal of emigration that spring. Some of the free State men were not there at the polls, but the pro-slavery residents were generally there.

By Mr. Oliver:

The following are the names of the voters who lived in my neighborhood of the district on the 30th of March, 1855: Elijah Merrill; — Tipican; William Ridge; Robert Whitset; James Watterson; G. W. Baker; John Doyle; — Bryan; Thomas J. Dowlin; M. F. Sweeney; Anderson Gladden; Sabert Gladden, who was then at work at his brother's and since made a claim there; Dr. E. F. Wells; William Nichols, who lived with Wells; James Jolars; Oldey Evans; William H. Allen; Poleet, who is a Frenchman, but whose surname I do not know; Edward Snyder; — Anderson; Joseph Ashley; — François, a Frenchman; William Shelton; F. Trent; John W. Smith; E. M. Moyain, and brother-in-law, whose name I do not know; — Uno; Charles Slimer; Robert Reid; Matthias Rupp; George Shun; Joseph Shun, who is father of George, and George is brother-in-law of Rupp; Hezekiah Jackson; Peter O. Rope; Benjamin Duncan; John W. Stephens; James Gillespie, and Dio.

The district from east to west in the largest part is twelve miles, as near as I can say. It is irregular in shape, owing to the river, and is about fifteen miles north and south in the largest part. The average width I cannot give, owing to its irregularities.

There are two bottoms or neighborhoods below me, in one of which Jamison's names are, and I find none among his list from the other neighborhood. There is also a neighborhood above me of which I have

given no names, in which neighborhood, I think, there were at that election at least sixty voters resident. I cannot remember whether or not all the free State men went to the polls from that neighborhood; some of them I know did. Jamison has not given all the names in his neighborhood. The names I have given myself are of persons who live within two miles from me. There are some names I give from recollection, as I cannot find all of them on the poll books. I know some of them voted whose names I cannot find on the books, I think because they are not correctly given, or else I have not got the correct names. I made out a list of names and then compared it with the poll books, of which I never saw a copy until I examined it this time. I did not see them vote, but I saw them on the ground, gave them tickets, and saw them go up. But there are some four or five names I have given I cannot make out on the poll books. There were no Indians in the district that I know of, and none voted there I believe. I have never seen the original poll lists. I think from examining the poll lists that all the free State candidates voted that day. I found about a dozen names on the list I think were not residents; some of the dozen I know were not residents. I do not know whether there are more there or not who were not residents, and cannot state whether all were residents or not of these names I do not know.

WILLIAM P. RICHARDSON.

LEAVENWORTH CITY, K. T., *May* 14, 1856.

LUTHER DILLON called and sworn.

I was ferryman at St. Joseph's, Missouri, on the 29th and 30th of March, 1855. There was an arrangement with Captain Wright, one of the owners of the ferry, to carry over persons from St. Joseph's, Missouri, to Kansas Territory, for the payment of twenty-five cents for each man and horse carried each way. That arrangement was made by Colonel Fouts and Samuel Carsons on the morning of the day before the election, who agreed to pay for some companies. On the day of election Judge Leonard and Mr. Middleton made an arrangement to pay for whoever crossed during the day, and told me to collect from none of them without they were pointed to me. Captain Wright pointed out all that were pointed out to me, and from those I collected the fare. Our ordinary fare was thirty-five cents for a man and horse. There was 217 horsemen in all, both going and coming. We called them 400 footmen who crossed, though there was more there. There was more boys than men, as they were going over and back all the time as it was a free ride to them. What has been paid to me was paid by Alex. Davis and Colonel Somerville, and some \$40, odd, were handed to Captain Wright by some one, I do not know whom. I was told to look to the men who made this contract for the money. That day, or the day before, Major Richardson's black boy took over some provisions in a wagon, and some kegs, but I do not know what was in them. There was more that day crossing the river than was usual at that season of the year; but not more than there was a few

days afterward, when the emigration commenced. I heard some of the persons who crossed say they were going to the election at or near Bryant's. I was not there myself.

To Mr. Propper :

There was no arrangement made by which I could distinguish persons who were under this arrangement, except to be pointed out to me. The question about the pronunciation of the word "cow" was not asked by any of the officers of the boat, so far as I know. The usual price was charged those who were pointed out to me.

LU. DILLON.

LEAVENWORTH CITY, K. T., *May 24, 1856.*

BENJAMIN HARDING testifies.

I moved into the Territory in 1852, from St. Joseph's, Missouri, where I had resided several years, and have resided ever since in the Burr Oak precinct of the fourteenth district. I was a candidate on the free State ticket for the council from that precinct, at the election of the 30th March, 1855, and remained a candidate until the morning of election, when I withdrew. Two days before the election, Mr. Fee came to me and stated that, from what he had learned, he thought our prospect of being elected was not very good, and that from information he had received we would probably suffer an overwhelming defeat. He said that reports led him to believe that there would be a large number of Missourians over with the intention of voting. I contended that I had intended to run the race through, unless we consulted our friends in the district. We met at my house the next day with Mr. Larzelere. I had ascertained only from rumor of the coming over of the Missourians. Our second conference resulted pretty nearly as the first, with the agreement that we would decide the next morning before the voting commenced. I went to the polls the next morning. I saw a large number of persons from Missouri there, and quite a number of citizens of the Territory. Some of the citizens of Missouri were known to me. I only saw them on the ground, as far as I now recollect. I could not say how many of them I took to be non-residents were on the ground, there ought have been a hundred or more, but many were strangers to me. After conference with Mr. Fee and Mr. Larzelere, it was decided, after we ascertained who were to be the judges of the election, that we should all withdraw, and we did so—Mr. Fee getting up and announcing to the crowd the withdrawal of the whole free State ticket. I had taken no particular steps to ascertain what the course of the judges would be in regard to receiving votes. I understood, merely from rumor, that they were in favor of what was called "Stringfellow's exposition" of their instructions and duty. We did not know whether that was true or not, but we believed it to be true. Mr. Johnson and Mr. Heed were elected in the place of Mr. Hulan and Mr. Blackstone, the judges appointed by the governor. All the judges thus acting professed to

be pro-slavery men. I had, some three or four days, been riding around through the district and making some general inquiries for the purpose of ascertaining the political sense of the people of the district. Mr. Fee was with us most of the time, and, I think, took more pains for that purpose than I did myself. Mr. Larzelere was with me but a portion of the time. It was my impression, from all I could learn, that the free State party had a majority in the district of some thirty or forty, perhaps more, and I was led to believe that the majority would have been larger if there had been no under influence from Missouri before and at the election. Fears were expressed that in consequence of the presence of Missourians on the ground there would be disturbances if we continued as candidates, which we wished to avoid. I cannot say that I had any very great fears of any such thing myself. I think likely these fears, and the presence of these Missourians, had some effect, with other things, in inducing the free State candidates to withdraw. I had intended to go through with the election and remain a candidate, and if there was much fraud practised to enter a protest against the election. Many of the free State men voted that day; but I do not know how many or what proportion of them voted. Some of them afterward told me they did not vote. I voted for Captain Whitehead alone; but cast no vote for representative. I have looked over the poll books of that election and I find on it the names of some I knew to have been residents of Missouri at that time, among them are W. K. Richardson, Sidney Tennant, F. C. Hughes. I think that it is probable a majority of the names on the poll books were of residents of the Territory at that time, as I am not acquainted with the names. There were many persons in the district I knew by sight but not by name. I saw persons on the ground whom I knew to be residents of Missouri whose names I cannot give now. I did not see much of the voting done, and cannot tell who or how many voted. I was never at Major Richardson's house in Kansas, but I have often seen him in the Territory and also in Missouri; but I do not know as I have ever seen him at his old place in Missouri, now Mr. Hall's place, since he first came to the Territory, in the fall of 1854. The exposition of General Stringfellow, of the duties of judges and rights of voters, was circulated pretty generally, I believe, in the district in the form of a circular. I saw several copies of it. It was stated to have been his exposition and so represented, but I believe his name was not attached to it. The principal portion of it was an exposition of the oath prescribed by Governor Reeder. I have no copy of it, and do not know as I could obtain one, and do not know that any copies of it are now in existence.

Cross-examined by Mr. Scott.

Mr. Fee, Mr. Larzelere and myself, so far as I recollect, did not conclude to withdraw until after the judges who acted were appointed. I recollect distinctly requesting Mr. Fee to wait until we learned who the judges were to be, before we determined whether we should withdraw. As far as I was myself concerned, I did not determine absolutely to withdraw more than five minutes before it was done. I did not tell Cary B. Whitehead, one hour before the new judges were appointed, that

the free State ticket was to be withdrawn, and we were going to concentrate the free State vote on Captain John H. Whitehead. I do not think I told any one any such thing. I have no recollection of Mr. Fee so stating to Mr. Cary B. Whitehead, in my presence, and my consent to it. I have no recollection of any conversation with Cary B. Whitehead one hour before the judges were appointed, in which he insisted that Mr. Fee and myself should run, and that the pro-slavery party could beat us a hundred majority in our district. If any such thing was said, I think it was not in my presence. I think I had expressed my preference for Captain Whitehead over Major Richardson for council upon our ground. I had determined to cast my vote, if I voted at all, for Captain Whitehead; but I did not undertake to pledge any man's vote, and am of the impression that even my own vote was not pledged at all. I am not aware of having used any under influence with regard to the vote of any person. I have never attempted, that I am aware, to influence any man's vote, except simply by argument. I made no agreement with Mr. Fee and Mr. Larzelere to use our influence to elect Captain Whitehead; and if they did so, it was not in my presence. I had no particular partiality for either Captain Whitehead or Major Richardson; and voted for Captain Whitehead merely because I understood him as pledged to use his influence for the passage of an election law, by which the rights of the citizens of Kansas in elections should be protected. I used the same argument with some of the free State men. I said that some free State men told me they did not vote. William Keaton was one of them. Mr. Keaton has told me himself he was a free State man. I mean the old gentleman, the father of Jackson Keaton, that used to live in St. Joseph's, Missouri. Mr. Jacob Sharps told me he had not voted. He lives in the fourteenth district, on Walnut creek. He was not at the election at all on that day. Mr. William Gaines was another of the same class; and he told me he was not at the election. The persons I have named told me they were about starting for the election when they learned the free State candidates had withdrawn, and they then determined not to go to the polls. I have no distinct recollection of hearing any other persons say so. I stated that my opinion was that there was a decided free State majority in that district at that time, and that it would have been larger if there had not been undue influences from Missouri, both before the election and at the polls. I saw some leading men from Missouri passing about through our district, and I understood from others that they were electioneering for the pro-slavery party, and representing their institutions of slavery as unsafe in Missouri if Kansas should be made a free State. I consider that undue influences. I knew of no free State men from Missouri, as I now recollect, of travelling our district and advocating free State doctrines. There might have been free State men from Missouri in our district advocating free State doctrines. Mr. John R. Carter was over in our district at work. He was a native of South Carolina, and a citizen of Missouri, and he expressed himself to me as being in favor of a free State here. I do not know whether on the night before the election John R. Carter used the argument to me that the free State candidates should withdraw, so that Captain Whitehead might be

elected. I recollect that he stated to me that it was his opinion I had better withdraw; but I do not recollect whether it was one or two days before the election. There was a large number of Missourians on the ground on the day of election; but I do not know as I can specify any undue influence that they exerted that day, except what has been shown by evidence here, and by the poll books. I know several persons in Major Richardson's neighborhood, but I did not know particularly about relative strength of parties in his neighborhood, as I did not go directly into his neighborhood during the canvass, and was in that neighborhood less, perhaps, than in any other in the district. I know two or three men, living between Major Richardson's and Smithton, who have stated to me that they were true free State men—John Hartman and Charles Skinner—but further than that I do not now recollect. I was in Burr Oak Bottom a couple of times before the election, and I think once afterwards. I cannot tell how many persons of that neighborhood I conversed with before the election; probably more than a half a dozen of them—Mr. Roark, some Lawhorns, and others, whose names I do not recollect. I cannot tell how many persons I conversed with in regard to the election, before the election, and after I was a candidate, in St. Joseph Bottom, or how many in the Bottom below St. Joseph Bottom. I conversed with Mr. Kincade, Mr. Randolph, and several others; but I do not know how many. I cannot tell how many voters resided in that Bottom. It was my opinion that there were more than twenty voters there; but I never saw twenty men that I knew lived there. I do not know that the truth of the population of the district was comprised in the neighborhoods just mentioned, as there were other parts of the district quite thickly settled. It was from conversations with these persons in these neighborhoods, and with others from different parts of the district that I formed my opinion that there was a free State majority in the district: but I could not specify names now.

To Mr. Sherman:

I wish to state, in regard to the statements, that there were rumors that the free State candidates expected aid from eastern emigrants on the day of election, that I did not expect or wish it myself, and heard nothing of it except from persons of the pro-slavery party: and, so far as I know, it was without foundation. I am not aware that any eastern emigrants were at that election in that precinct.

B. HARDING.

LEAVENWORTH CITY, K. T., *May* 24, 1856.

JOHN H. WHITEHEAD called and sworn.

I moved into the Territory in the fall of 1854, from St. Joseph's, Missouri, and settled about five miles northeast of St. Joseph's, in the Burr Oak precinct of the fourteenth district. I was at the election of the 30th March, 1855, at Bryant's. Myself, Major Richardson, and Mr. Harding were candidates for council. Mr. Blair and Mr. Watter-

son on one side, Mr. Fee and Mr. Larzelere on the other or free State side, were candidates for the house of representatives. On the morning of the election Mr. Fee, Larzelere, and Harding, the free State candidates, withdrew. On the day before election I held a conference with Mr. Fee as to the position that we all occupied before the people of the district, and our conclusion was that Mr. Hardin and Mr. Larzelere were not strong enough to carry the vote of the free State party, consequently there was no chance for their success. He promised that, when they met the next morning on the ground of election, he would use his influence with those men to withdraw and cast their suffrages for me. It was generally rumored among our people that the people of Missouri were coming over to vote at our election; I do not know as it was generally credited or not, but it was believed by some and not believed by others. Missourians did come over across on the day before and the morning of election; a good many of them, I should suppose from one hundred and fifty to two hundred. I think some of them voted. My acquaintance in and around St. Joseph's was about as good as any man who lived there, I think, as I had lived there pretty much since 1839. I was present at the polls most of the time, but not all; backwards and forwards during the day. My memory is bad as to names, and I may not be able to call over now those I saw there. I saw some of them vote. They claimed to vote because people were coming from the east to vote, right into the Territory to the election, and their voting was but a set-off to the others. I do not recollect that they claimed any right to vote because of the provisions of the Kansas-Nebraska bill; I think the reason I have given was the only one I heard given. The polls opened about eight or nine o'clock in the morning. I think the judges appointed by the governor did not serve, but I heard them assign no reasons for their not serving. Mr. O. Hulan did not serve that day; he was on the ground part of the time; I do not recollect whether he was on the ground before the polls were opened or not. I did not hear there why he did not serve. Mr. Blackester and Mr. Hulan did not serve, and I do not recollect the third man appointed by the governor as judge. I do not know how the judges who did serve were chosen, for it was not done in my presence. Mr. Heed, Mr. Johnson, and Mr. Whitehead, my brother, served as judges that day, and were all residents of the district at that time.

There were some objections made to the Missourians voting when they went up to vote. I challenged one man's vote myself, the vote of Mr. Newby, who lived in the east part of Buchanan county, Missouri. I think he was permitted to vote. He was not sworn, to the best of my recollection. I did not see any one sworn that day as to their qualifications to vote, though there might have been. When I challenged his vote, I do not know that any particular reason was given why he should vote. We stood there awhile, and I asked the judges if they were going to allow him to vote, and no answer was made that I recollect of. I walked away then. He voted. I have known this man since he was a small boy, and he is a man of family now, and I was satisfied he had not resided in Kansas, even if he had claim. I do not recollect now whether I stated to the judges the

grounds why I challenged his vote. I do not recollect whether or not he stated the grounds why he claimed to have a right to vote. I challenged no other vote that day. I heard Mr. Groomes, while I was standing a little way off, challenge a vote, but I do not recollect the name of the man who offered to vote, or the disposition of it. I think three hundred and three votes were cast that day, and between fifty and one hundred votes were illegal, and I thought at the time I knew that many persons there who were not residents. There were many strangers voted there that day, probably some of them were legal votes, though I cannot say about that. Mr. Fee, one of the candidates, withdrew himself the morning of the election, giving as a reason that there was not a union among the party. He told me the morning of the election that it was the understanding that the free State ticket should be withdrawn entirely. I do not think the presence of non-residents had anything to do with it. Mr. Fee expressed no apprehensions of danger to me, and I apprehended none myself, from the presence of non-residents. I do not know who these non-residents voted for on that day. I believe some of them voted for me, though I requested them not to do so. I do not think the free State men voted that day as a general thing. Some of them did vote and some went away without voting, because there was no ticket of their party in the field. If the vote had been confined to the actual voters of the district, I cannot say whether the result would have been the same. If the lines had been strictly drawn, I think the pro-slavery party would have beaten. I had taken a good deal of pains to inform myself upon that point. If all three of the candidates for the council had run, I cannot determine what the result would have been, but I think it would have resulted as it did, for it would have driven men to unite on the candidates of their party. I was running as a pro-slavery candidate. I cannot explain why the votes for council were more than for representatives. I cannot say whether the free State men who voted, voted for representatives or not, though I supposed they voted a full ticket. I thought the election on that day was as peaceable an election as I ever saw. I never saw better order on the election ground in my life; all voted, so far as I know, who wanted to. The contest was all on one side, except between Major Richardson and myself. Some of the free State men asked me if it was necessary to vote for me. I told them to use their own pleasure, but cannot say whether they voted for me or not. The free State men were very greatly in the minority in the crowd about the polls, though there appeared to be a great many about the polls the first part of the day. I do not remember the names, or that I saw many persons there on the day of election that held offices in Missouri. Mr. Scott was attorney of St. Joseph's at that time, and was there on the day of election. At one precinct Mr. Stringfellow was there, but I do not recollect about those who held offices in Missouri at that time. A great many of the leading citizens of St. Joseph's were there, but I do not know what part they took in the election. I do not recollect of any speeches made there that day, except by Major Richardson.

Cross-examined by Mr. Scott:

I understood when I had a consultation with Mr. Fee, the day before

the election, that he was to use his influence with the free State candidates to withdraw and have the free State men vote for me. The votes to be given by Missourians, I think, had no influence with either Fee or myself. He had no right to think that the citizens of Missouri would do anything to injure him, as he had long been a citizen of Missouri himself. The only apprehension seemed to be that he would not get votes enough of the actual residents to secure his election.

Mr. Fee assigned as a reason for withdrawing, that Harding and Lazelere were unpopular with their party, and if he himself ran, he would have to carry them, and therefore, he thought it best for all to resign. When he announced on the morning of the election that he had succeeded in making this arrangement, I understood it to be in consequence of an arrangement of the day before.

JOHN H. WHITEHEAD.

LEAVENWORTH CITY, K. T., *May* 23, 1856.

JOHN R. CARTER called and sworn.

I reside in Missouri, about a mile and a half of St. Joseph's. I live within about three-fourths of a mile from the farm known formerly as the Major Richardson farm, and about a mile and a quarter from the residence. I moved there in the spring of 1842, and have had my residence there since then. I was in Kansas, at the Burr Oak election precinct, at the time of the election of the 30th of March, 1855, building a mill for Messrs. Creel and Bryant. I was about the place of election at different times during the day. I was not around the polls at all, but I was at work, at odd times during the day, and was about the place of election at times. I was working on the mill the day previous to the election, and after dinner, perhaps the middle of the afternoon, covered wagons drove up and camped around where I was at work, containing Missourians, some of my neighbors. The first one I saw, I think, was Craig Montgomery. Shortly after that, there was perhaps to the amount of a hundred and fifty men, from various sections, under their leaders, came up there.

Judge Leonard was there; Dugan Fouts was there, with a party from Rock House Prairie, in Missouri, down in the east of Buchanan county. They appeared to be the most prominent men. There was Walker G. Reed, and three or four of the young Carsons, Isaac Thornton, of Saline county there, Preston Richardson from Andrew county, Jephtha Ford from Andrew county. There was a company from Andrew county, many of whom I was acquainted with, but I cannot recollect their names. John S. Pickett was there, and a great many others with whom I was acquainted, but I do not recollect their names. They were there with their wagons, and provisions, and two barrels of whiskey, and camped there, about two hundred yards, perhaps a little more, from Mr. Bryant's house, where the polls were held the next day. They camped all around where I was at work, on the hill side, and put their provisions in an old Indian shanty that was there. I had conversation, a good deal of it, with these men, many of them

my old acquaintances and neighbors, and I remained there with them till long in the night. I talked with Colonel Fouts, John S. Pickett, and Isaac Morton about their mission over there to Kansas.

Shortly after they came there, Isaac Thornton took me out privately, one side, and asked me if I was going to join their company. I said I did not know, as I did not know what their object was. He told me they had come over to guard the polls and see that the election went off right in Kansas. I told him that if he went my way I would go with him, and if he did not I would not. He asked me if I would join their company and go with them. I said if he would go my way I would, but if he did not I would not. He said they were going to support the pro-slavery candidates. I do not, as they were named, but they were understood. I would not say that any told me they came to vote, but rather to guard the polls. I told them I was a southern man, and would do all I could for Captain Whitehead, who was a pro-slavery man, and if they would go for him I would go with them. They said they would not go into that. When I went to the mill that morning the men were around the camp. I saw some of them around the polls that day, but they seemed to be about the Indian shanty and the polls. They camped there that night, and some of them told me I would have to get the countersign if staid till after dark. I did not see any of these men vote. I was about the polls before they were opened, and then I went away and did not come back until dinner time, when men were voting at the polls. I did not vote myself that day. I paid no attention to the polls, staying but a few minutes to get my dinner at Mr. Bryant's, and then I went back to the mill. I have examined a list of names given to me to-day, and said to be a copy of the poll books, and have made out of the list of those I know to have resided in Missouri. At that time I got from one of the judges of election a certified copy of all the votes given at that election. There was a very important city election going off the next week at St. Joseph's, between the whiskey and anti-whiskey parties, and I was requested to get a copy of the names of the citizens of St. Joseph's who voted there in Kansas, which I did, and presented to the judges of the election, to Dr. Harding, of St. Joseph's, and I had marked on that paper the names of those I knew to be citizens of St. Joseph's with a star; and so did many other citizens of St. Joseph's, as we were very much interested in the election. That is the way my attention was called to this subject. The names I have shown from the poll books furnished by the committee, are as follows: J. W. Stephens, S. P. Blair, Isaac Thornton, Merrill Willis, Sidney Tenant, Dr. George C. Catlett, O. P. H. Craig, F. C. Hughes, James M. Teagarden, William Carson, James Carson, Charles C. Carson, Johnson Carson, and William K. Richardson, Peter Monroe, S. W. Woodcock, Jacob Ostenberger, G. B. Groomes, eighteen in all. Some of these names I have given reside in Buchanan and Andrew counties. St. Joseph's is in Buchanan county.

To Mr. Propper:

When they told me I would have to get the countersign I did not get it. I understood that they would have a regular military camp.

Mr. Thornton told me when I said I was going to stay there that night, that they were going to have guards, and that I would have to get the countersign, but I did not get any, and went off out of the camp along in the night without any trouble. I think Judge Leonard and Colonel Fouts and men of that stamp appeared to be the leaders. Thornton, I think, and perhaps Fouts, told me they were going to support the pro-slavery ticket.

Cross-examined by Mr. Scott :

Mr. Thornton told me that it was rumored that there was to be boat loads of emigrants coming from the east to be at the election and vote the next day, and that was the cause why they came over there to guard the polls. I think the term "abolitionists" was used most that day, perhaps "emigrant aid men," but I do not know whether it was understood, or not, that they were arriving merely to vote, or also to settle. I do not recollect that they said they were going to vote, or what they were going to do. I told them I was a colonizationist, not an abolitionist; that I was a southern man with northern feelings. I was in favor of fair play on both sides, let every man vote to suit himself. I had friends on both sides, but I had no particular interest in Kansas, and took but little thought about it.

J. W. Stephens was a young man, and was about the neighborhood mostly where I lived; I saw him come over the evening of the election, and I think I had a conversation, and I think he said himself that he was going to vote or burst. I do not know where he resided for the six weeks before the election. He said he came over the river to vote, and he was going to vote or burst. I never saw Major Richardson's mill in the Territory, and do not know that this Stephens was at work at the mill before the election. He was in our neighborhood previous to the election, and also since, though he might have been in Kansas at work for six weeks or two months, though he has been about our neighborhood for three or four years past. It was my opinion that he was a citizen of Missouri, and to the best of my knowledge I believe he was. S. P. Blair lives about two miles southeast of me. To the best of my knowledge he was living there on the day of election. I had been with him surveying, and he had a claim on Peter's creek, in Kansas, and I was hunting a claim myself. I helped him run off a claim there, I think, in June, 1854. He made another claim adjoining it for a widow Bradley, of St. Joseph's. He had some cattle over there grazing, but I do not know as he ever improved his claim, and his family lives near me yet. He never went over to his claim, as far as I know, with his family, and I know he lives and has lived near me. William K. Richardson was at the time a citizen of St. Joseph's. I believe F. C. Hughes is also a citizen of St. Joseph's, and Dr. George Catlett, Sidney Tenant. I have examined the copy of the poll here, and those are the only names I know to have been citizens of St. Joseph's. I do not know half the persons at St. Joseph's. I know most of the old established citizens of St. Joseph's, but there are a thousand there, probably, I do not know. Major Richardson and myself have no dealings with each other.

To Mr. Propper :

I saw no eastern emigrants that day about the polls that I know of.
JOHN R. CARTER.

LEAVENWORTH CITY, *May 23, 1856.*

JOHN W. SMITH called and sworn.

To Mr. Scott :

I reside in the 14th district, Burr Oak precinct, in this Territory, and have resided there since April, 1853. I was very well acquainted in that precinct with nearly all the principal citizens at the time of election of the 30th of March, 1855. There were at that time general reports in that precinct that Eastern people were to be sent there to vote at that election. The Burr Oak bottom comprised the largest neighborhood in the precinct, containing, I should suppose, upwards of fifty voters, but I cannot state the exact number. In Major Richardson's neighborhood there were ten families. In St. Joseph's bottom there were somewhere about fifty voters. I was not particularly acquainted in any but these three neighborhoods at the time of the election. I cannot state how many voters there were in the entire precinct. Major Richardson lived, at the time of the election and before it, in what is known as the Bontown bottom, in Kansas Territory; he was one of the earliest settlers in that neighborhood; I had frequently visited his house before the election; he had a quantity of stock, cattle, horses, mules, and hogs there, some slaves, &c. He had been a citizen there and kept house there, eating and sleeping there. I was present at the election at Bryant's in that precinct on the 30th of March, 1855; I noticed some of the voting done there during the day; I do not think all the legal voters of the precinct were there at the polls, but they were there as a general thing. I know of three persons who did not go at all—Mr. Poe, Mr. Howell, and Mr. Gabell—who told me they were not there; I heard no others say they were not there. These persons gave no reasons for not being there. Mr. Gabell says he is a free State man, but I do not know about Mr. Poe and Mr. Howell. I could not state definitely whether others were absent or not; there were some there who told me they did not vote. Mr. Ben. Harding, and Mr. Smallwood, and I think Mr. Brock, but I am not certain about that. The pro-slavery party had a majority in that precinct at that time of perhaps one-fourth; that is, a difference of one-fourth between the two parties. There was no one shot at that election that I ever heard of. I saw no arms there, and heard no guns fired.

JOHN W. SMITH.

LEAVENWORTH CITY, K. T., *May 26, 1856.*

OSBORN HULAN called and sworn.

I came into the Territory in August, 1854, from St. Joseph's, and settled in the Burr Oak precinct, 14th district, and have resided there

ever since. I was appointed by Governor Reeder one of the judges of the election of March 30, 1855. I did not serve; the reason I did not serve was, that I did not think I could serve as judge, and go according to the oath prescribed by the governor, which I thought I ought to act up to. Carrol Hughes, of St. Joseph's, met me on the road as I was going to town, the day before the election; he told me he had come over to advise me to have nothing to do with the election, that he came as a friend; I believe he was sincerely a friend to me in that. I told him I was very thankful for his advice, but I had positively declined within myself not to serve, before I had seen him. I did not think he came to frighten me at all. I had had a conversation with Mr. Whitehead, one of my associate judges, about this matter, the legality of voting, in order to see how our views were upon that subject; we disagreed but little at the time; but after I went home, and read the governor's proclamation, and reflected on it, I concluded that I could not and would not have anything to do with the election, as I knew I could not do what I knew to be my duty without having some difficulty. When I was talking with Mr. Whitehead we had before us, I knew, "Stringfellow's Exposition" of the oath prescribed by the governor. I do not think either of us agreed either for the one or the other decision in regard to the oath. I cannot say whether Whitehead approved of Stringfellow's Exposition or not, but he seemed to think that the governor's proclamation was no particular criterion to go by; but thought the oath prescribed would not prevent any one from voting who should apply, as he considered all in the Territory, and had a claim merely as residents, and entitled to vote.

OSBORN HULAN.

LEAVENWORTH CITY, K. T., *May* 23, 1856.

ALFRED LARZELERE testifies.

I first made a claim in April, 1854, and the one on which I now reside in May, 1854. I moved my family from St. Joseph's in March, 1855, to this Territory, and settled in the Burr Oak precinct, in the 14th district, and have resided there ever since. I was named as a candidate for the free State party as representative at the election of March 30, 1855, in connexion with Mr. Harding for council, and Mr. Fee for the house. I ceased to be a candidate on the morning of election, when I withdrew. Mr. Fee, from the extraordinary excitement became alarmed, and was afraid the election would result in a row if we continued as candidates. Missourians from various quarters began to come over into the Territory some two or three days before the election, some stopping about in the neighborhood, and others going further out. I think it was two days previous to the election, Mr. Fee called at my house and expressed his fears as to the consequence of this excitement, and suggested the propriety of our withdrawing our names from the contest. I opposed the measure very decidedly, as I was for running the race through as men of principle, if we did

not get any votes at all. We separated with the understanding of meeting at Mr. Harding's house the next day, which we did. We there had a consultation with some of our friends; Mr. Harding and myself opposed this withdrawing of our names, and Mr. Fee urged it. I do not know that any particular persons came over and stopped them the day before the election from Missouri. But persons were coming over for several days before, and the rumor was general that they would come to the election. Mr. Harding, Mr. Fee, and myself, after the consultation, left with the understanding that we were to meet on the ground at the polls on the morning of election. We did meet there; I was quite sick, and should not have left my house but for that appointment. We looked around and surveyed the crowd, and came to the conclusion that there must be from 200 to 250 Missourians on the ground, and the general understanding was that they come there prepared to vote. I think the number was sufficient, if they had voted, to out vote the free State residents of the district. Mr. Harding, Mr. Fee, and myself met, consulted, and reluctantly, so far as Mr. Harding and myself were concerned, consented to have our names withdrawn, as we believed the Missourians would out vote us, if we run as candidates at that time. Our names were then withdrawn. Mr. Fee announcing by our authority that the free State ticket would be withdrawn. I had taken some pains to ascertain the state of feeling in the district as to free State and slave State, and I came to the conclusion that the free State party had a decided majority in the district. The fear of being out voted by Missourians, and the anxiety of Mr. Fee, were the principal reasons for our withdrawing our names. I did not really fear myself that there would be any difficulty. I knew the instructions of Governor Reeder to the judges of election, and it was generally rumored that General Stringfellow had issued another set of instructions to the judges. We declined to withdraw until we knew who were to be the judges, and what their course of proceeding was to be. Mr. Blackstone and Mr. Hulan, two of the judges appointed by the governor, were not there, and the places were filled by Mr. Albert Heed and Mr. Johnson, so that all the judges were pro-slavery. The free State men generally did not vote that day. I do not know how many came to the polls, as I went home early in the morning. On my way home I met some fifteen or twenty citizens, to whom I told the circumstances; some kept on and others said they would turn back and not vote. I voted that morning myself for Capt. Whitehead and no other person. I saw nothing more of the election. I have examined the poll lists, and the following are the names of some I find there I know to have been citizens of Missouri at that time: S. P. Blair, who lives southeast of St. Joseph's, O. H. P. Craig, of Savannah, Andrew county, Missouri, Duncan Lenion, from the bottom above St. Joseph's, William K. Richardson, of St. Joseph's, Young Owen, at that time a citizen of Buchanan county, but since a citizen of Andrew county, Evan Richardson, from Buchanan county, Emmet Fulkerson, from Andrew county. There are a good many names there I am acquainted with, but am not acquainted with their first names, who were citizens of Missouri at that time.

Cross-examined by Mr. Scott :

I was acquainted with a good many in the district in which I was a candidate, and I knew many by face I did not know by name. I have been in almost every neighborhood in the district, though in some of them I have not travelled much. I am best acquainted in the bottom, below St. Joseph's, and the St. Joseph's bottom. I never was in Major Richardson's neighborhood before the election, and did not know who lived there, except from report. I have never been in the Burr Oak bottom. I have been out the California road, seven or eight miles, but did not call at any one's house, as I had no business at any of them. I never traced the lines of the district by actual observation, though I knew where they were, as they were published. I learned, by making inquiries, conversing with different ones, that the free State party had a majority in the district. I learned from various persons that up in Burr Oak bottom the parties were pretty nearly divided. Mr. Harding and Mr. Fee were up there electioneering. Did not go out myself to canvass, but once, on account of sickness. I then went into the bottom below St. Joseph's bottom, and I ascertained there, from the inhabitants there, that there were forty voters, and only three pro-slavery men there. I think Mr. White and, probably, Mr. Myers told me so. I think Nathan White, or Wheith, who lives in that bottom, is the one I refer to. So far as I learned, I heard of no dissensions in the free State party, though there might have been such a thing. Mr. Fee never urged that to me as a reason for withdrawing the free State ticket; the only reason he urged to me was the fear of a defeat by Missouri votes, and perhaps a row. He did not urge that if we withdrew our ticket, which we could not elect, and unite it on Captain Whitehead, we could elect him to the council over Major Richardson, though it was understood that if we voted at all it should be for Captain Whitehead. I stayed at the polls but a short time after the polls were opened, perhaps an hour or two. I state that the free State men did not vote generally that day, because I understood they did not generally turn out, and I know there were but few on the ground when I left, and I met others on my way home, who said they would not go to the polls. I do not know whether any of the fifteen or twenty men I met went to the polls or not; I left them standing in the road discussing the matter; some of them said they would go back without voting. I do not know positively that any one free State man did not vote that day, but I understood there was not a general turn out. I think it was not known before the morning of election, so far as I knew, or gave any intimation of it, that the free State ticket was to be withdrawn. If the free State ticket had not been withdrawn, it is probable persons would have gone out and urged to come to the polls those of the free State party who might have been tardy in coming. I never received a letter from Governor Reeder, while I was a resident of Missouri, urging me to run as a free State candidate for the legislature in this Territory. I was into the St. Joseph's bottom, some days before the election, and I saw many persons there strangers to me, and heard that they were collecting, and there was a general rumor to that effect.

A. LARZELERE.

LEAVENWORTH CITY, K. T., May 23, 1856.

WILLARD P. HALL called and sworn.

To Mr. Scott:

My house and place of residence is about $\frac{3}{4}$ of a mile from the corporation limits of the town of St. Joseph's, Missouri. I have resided there in that house since March, 1849. I was at an election, held at Mr. Bryant's in this Territory, about $4\frac{1}{2}$ miles from St. Joseph's, on the 30th of March, 1855. I believe that is called the Burr Oak precinct. There were a great many persons there from Missouri; I suppose about 250. My purpose and the purpose of those with whom I conversed in going to that election that day, was to secure the election of the pro-slavery ticket by all legal and fair means. The voting of Missourians I did not consider fair and legal means of accomplishing that object, as my position has always been that no one but actual residents of Kansas Territory had a right to vote in the Territory. There was great excitement in our section of the country, the Platte county, and, I believe, throughout the frontier of Missouri at that time. We heard that a great many men were coming from the free States for the purpose of voting at that election, with a view of prohibiting slavery in the Territory of Kansas. It was also reported and believed that many of these men threatened that they would first make Kansas a free State and then commence an attack upon the slave property of Missouri. It was also reported that a large number, several hundred, were expected on the boat the day of election to vote at the precinct where we went; we expected to challenge all such voters. If it was determined by the judges that non-residents who were opposed to slavery should be permitted to vote, it was supposed that they would apply the same rule to non-residents who were in favor of slavery. I was about the polls a good deal that day, as my father-in-law was a candidate, and I felt a good deal of interest in his election, as I considered him more reliable upon the slavery question than his opponent. I am not able to say what number of Missourians voted. I believe I did see two vote, but those are the only two I noticed vote. I suppose they voted from having gone up to the window with their votes, though I did not actually see them vote. They were Dr. Tisdale and Mr. Nap. B. Wood, of Savannah. There may have been other Missourians who voted, but if so I did not know it. I did not know the number of legal voters in that precinct except by report, though I endeavored to make myself acquainted with the relative strength of parties in that district, as I felt a great interest in the matter. I conversed with every one of both parties whom I thought were able and willing to give me any information upon the subject. My opinion was, from all I learned, that there were about 250 legal voters in that district, and about from 30 to 50 majority for the pro-slavery party in that district. I am not acquainted with the residents of the district generally, though I am acquainted with a great many who did reside there at that time. I saw a great many that I knew to be residents of that district, some 50, or 60, or 70, who were at the polls, and I saw a good number of them vote, but I cannot say how many; and some also that I judged did not vote. I attended a meeting at old man Lohorn's, called by some of the candidates, I under-

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stood, and Mr. Fee, Mr. Harding, and Captain Whitehead, candidates, were there. That was two days before the election of March 30, 1855. Captain Whitehead, Mr. Harding, and Mr. Fee addressed the meeting. Captain Whitehead said he was a pro-slavery man; the others appeared to me not to express themselves very decidedly free State men, but the drift of their argument was in favor of a free State. There were not more than 12 or 15 voters, I think, at that meeting. I conversed with quite a number of them. I also made a little speech there myself, in which I tried to persuade the people that they ought to vote the pro-slavery ticket.

William P. Richardson, now member of the council of this Territory, resided at that time in the Territory of Kansas, about 6½ miles from St. Joseph's, by the usually travelled road, and about 4 miles in the most direct way. Major Richardson lived in my house until the fall of 1854, September or October. He managed the farm, and at the time he left my farm and house turned it over to me, and I have had the whole matter to myself, and he has had nothing to do with it. He has never lived in my house or on my farm since, only occasionally visiting us. At the time he left my farm he said he was going to reside in Kansas Territory. I have been frequently at his house in Kansas since that time. He has a farm in the Territory of Kansas which he cultivates. Prior to and at the time of the election of March 30, 1855, Major Richardson had between 200 and 300 head of cattle in the Territory, and also some slaves, some two or three, sometimes more. He also had horses and mules, and a circular saw mill. He had also some hogs, I think. As to the amount of land he had under cultivation at that time, I cannot say, nor how much he had enclosed by fences. Major Richardson was an actual resident of Kansas Territory at the time of that election. Sometime during the day of election, perhaps about noon, there was a fight. I got to the place of election prior to the opening of the polls. I heard of no quarrelling or disturbance before the polls were opened, or any threats by persons of any party. I was present when one of the candidates, I think Mr. Fee, got up and stated that the free State ticket was withdrawn. I heard a speech, all of it, delivered by Major Richardson on that occasion. I cannot state the words, but I can state what I recollect of the substance and drift of what he said. He said that he was a very strong pro-slavery man, and yet he believed that the honest free State men would vote for him. He said he would get up at any time in the night to defeat the free State principles, and if elected he would oppose their free soil principles in every way in his power, but in any other respect he would represent them impartially. I think that is about the substance of all he said upon that subject. I think the polls were closed when I left that evening. I got over the river before dark, and I think a little after sundown. I went over on a steamboat. I do not know how prominent and leading I was in the councils of the pro-slavery party on the ground that day. I was in consultation with those I considered the leaders of the pro-slavery party at that time. There was no fighting committee appointed and left there for the day, so far as I know. I think if there had been anything of the kind I should have known it, though there might have been such a

thing without my knowledge. I never heard of anybody being shot there that day until within a few days ago, and I do not believe there was any one shot there that day. I cannot say how the Missourians who went over there that day were armed. Some few I saw with rifles, but the rest had no arms except they were concealed. I had none myself. I remember of seeing a few guns on the ground, not more than half a dozen, and I do not know that they were all in the hands of the Missourians, and cannot say that I saw a single gun in the hands of a Missourian. I do not think I saw a pistol or Bowie knife in the hands of any one that day. I accompanied Mrs. Richardson on the third day before the election to the Territory. I rode on horseback, and she went in a two horse wagon driven by a negro boy. I left her there, and I believe she returned to my house the day after the election, though it may have been later. I came home myself on the day of election. The day after she came to my house, Major Richardson, Cary Whitehead, and one of the judges of election, Mr. Blair and Mr. Watterson, representatives elect, left my house for the purpose, as they said, of going to Shawnee Mission, where Governor Reeder was, for the purpose of making returns of the election, and getting certificates of election for the members elect.

Cross-examined by Mr. Howard :

I heard of these rumors that I have spoken of being in existence in Missouri in regard to the eastern people coming on here to vote in the early part of March, 1855. I heard the matter talked about a good deal. I did not hear about the steamboat load of passengers to come at the election precinct where I was until about a week before the election. I also heard that there was an emigration of some forty or fifty coming to Iowa Point either from Iowa or through Iowa. The report was that these persons were coming merely to vote and then return. I know nothing about the truth of these reports. I know these persons were not at the election where I was. It appeared to be generally believed, though I doubted it myself. I never tried to trace up this report to see where it came from, but I enquired a good deal about it to see whether it was reliable or not. I enquired of a good many who said they had taken pains to enquire, and they said they believed the report to be true. I believe now that a great many did come under the influence of the free State aid societies merely to vote, and that they did vote and then returned. I saw none at the precinct I was at that spring, but I believe they were here at this precinct, and that they came here that spring. I know nothing at this time about the truth or falsity of the report. It was my intention and those with whom I conversed to go over to the election and challenge the votes of these men if they were offered ; if they were ruled out we would have been satisfied. If they had not been ruled out I would not have voted under any circumstances myself, because I thought I had no legal right to vote. I would have advised no one else to vote, though I believe there were many there, residents of Missouri, who would have offered to vote if the judges had decided that the residents of Massachusetts had a right to vote. I do not now remember that I saw any

newly arrived eastern emigrants there that day, and from all I have learned I think there were none there. I saw two Missourians go up to the polls with tickets in their hands, and believe they voted; one was Dr. Tisdall, who resided in Savannah, Andrews county, Missouri, but I do not know his first name; the other was Nap. B. Wood, of Savannah. I did not hear any I knew to be Missourians say they had voted. From all I have heard I do not believe there were over ten Missourians voted there that day, but I think there were about that number of Missourians voted that day. I heard in almost every crowd and every little company, where Kansas matters were discussed at all, these rumors I have mentioned. I did not come over to Kansas till a few days before the election, for the first time that month. I think these rumors were very prevalent in our portion of Missouri. I do not recollect who was the first one I heard mention this rumor; I do not think I talked with any but citizens of Missouri and pro-slavery men of Kansas about this rumor before the election. I think I heard rumors that there was information derived from steamboat captains and others perhaps, that there was a large crowd of these emigrants in St. Louis waiting for a chance to come up the river. Gen. William P. Richardson has a wife, and he has lived in this Territory from the fall of 1854. His wife lived at my house in Missouri during that time, and lives there yet. I do not think that, in the opinion of a sound lawyer, a man's residence would be affected by the fact that he lived in the Territory and his wife in Missouri, for we hold that a wife's residence follows that of her husband. The farm I live on is sometimes designated as Major Richardson's farm, but I do not think the title was ever vested in him. When the house was built it was built upon land that never belonged to Gen. Richardson. I was in Congress at the time, and when I came home Gen. Richardson lived in the house and cultivated the farm, and it was commonly known as the Major Richardson farm. He cultivated the farm before he lived in that house, and continued to cultivate and manage it until the fall of 1854, when he ceased to have anything to do with it. His wife has made her home with me and he has made his home in Kansas Territory, his wife never going over except on visits. Major Richardson has a farm in Kansas, and I think since he has been there the most of his attention has been devoted to his cattle as the most important part of his farming operations. I do not remember that I know any Bird in the district where Major Richardson resides, or in this part of the State of Missouri, and do not think I saw a man by the name of Bird or of Ashburn at the place of election that day. If there were 250 residents in the district, I think I was acquainted more or less with a fourth of them. John Fee was a candidate before the day of election, but on the day of election, before any votes were taken, he withdrew. The following are some of the names of resident Missourians I saw there that day: Solomon L. Leonard, Bela M. Hughes, F. C. Hughes, John Scott, George Hall, my brother, Gen. Jonathan M. Bassett, Reuben Middleton, Walker Read, Silas Woodson, Preston Richardson, John Graves, Wellington Cunningham, Squire E. S. Castle, Captain James Craig, Alexander Davis, James Carson, Bean Hamilton, a youth of some 15 or 16 years of age, Benjamin F. Stringfellow, Col.

A. M. Mitchell, Mr. Todd, and a great many more that I do not now remember. I am not aware that the farm I live on has been known as Major Richardson's farm since he moved to the Territory in 1854. I think it is not.

WILLARD P. HALL.

LEAVENWORTH CITY, *May 22, 1856.*

BENJAMIN H. BROCK called and affirmed.

To Mr. Propper :

I reside in about five or six miles of the Savannah landing, opposite Savannah, Missouri, in the Burr Oak precinct of the fourteenth district. I moved in the Territory in the last of September, 1854. I was at the election of the 30th of March, 1855, in the Burr Oak precinct, at Bryant's. I got to the place of election after they had commenced voting. Harding informed me that the free State candidates had withdrawn. The voting was going on. I then voted for Mr. Whitehead, Blair, and Watterson. I saw numbers voting. I saw but one man vote that I knew to be a resident of Andrew county, Missouri; his name was Samuel W. Woodcock. There was a large concourse of people there. I had seen a young man some time previous to that come up and hand in his vote. I did not know the young man, and they objected to his voting, and said he was not of age. One of the judges presented the Testament or Bible to him. The young man would not swear, but left. I asked the judges about the time Mr. Woodcock voted if they applied the same rule to every one who offered to vote as they did to this young man, and they told me they would call for me when they wanted my advice. I saw a Mr. Castle there, and I had a conversation with him. I have known him for the last fifteen years; he was a citizen of Andrew country, and is yet, I believe. His name is E. S. Castle, Squire Castle, as they call him. He and I got to talking, and I told him jokingly that he must vote, now he had come over, and he said he was not entitled to vote. The judges intimated as much as if he could vote. It appears to my mind that they said he could vote. I think Mr. Whitehead was foremost, but I will not be positive about that. I was not very well acquainted in our district, and cannot say what the relative strength of parties then was. There were some men I met there I was acquainted with in Andrew county. Ex-sheriff Crook, two of the Davis's, or Davidson, Fleming and Benjamin, I think, were their names. Dr. — Baker, and many others whose names I cannot recollect. Mr. Teagarden and some gentleman I talked with claimed, as I understood, that they had a right to vote under the Kansas-Nebraska bill, and that every man on the ground had a right to vote; that their presence in the Territory made them voters. Mr. Teagarden had an interest in a claim over here. I knew nothing of any the others having claims. They agreed that a man coming here and laying out a claim here, though still living in Missouri, had a right to vote here. I have seen a copy of the poll list furnished by the committee, and saw some

names there I was certain were residents of Andrew county at that time, Dr. Tisdale and P. O. H. Craig, William K. Richardson, of Bushman county. I left shortly after Judge Leonard got up and asked the company to remain until the polls were closed, and I think he said the poll-books certified, and then they would all return together. I saw little disturbance, but it was some one hundred yards from the polls, at a grocery.

Cross-examined by Mr. Scott :

I saw but one man vote there that I was positive was not a resident of the Territory. I saw numbers voting there. I will not be positive that it was Mr. Whitehead who said to Squire Castle that he could vote, but I am of the opinion it was.

To Mr. Sherman :

I emigrated from Andrew county, Missouri, to Kansas. The greater portion of those voting there that day were strangers to me, and I do not know whether they lived in the district or not.

To Mr. Scott :

I had never been to Major Richardson's place in the Territory. I had never seen his mill. At the time of the election I did not know what people lived in the neighborhood of Mr. Richardson.

BENJAMIN H. BROCK.

LEAVENWORTH CITY, K. T., *May* 23, 1856.

BENJAMIN DUNCAN called and sworn.

To Mr. Scott :

I resided in the 14th district of this Territory on the 30th March, 1855, in the Burr Oak precinct. I was acquainted a good deal in that neighborhood at that time; I was acquainted with John W. Stephens. I went over to Kansas in December, 1854, or January, 1855, and Stephens was living in the Territory at that time, at Major Richardson's, where I went myself. He continued to reside there until after the 30th of March. Some few days before the election he went across the river on some business, and returned again. I knew Elijah Merrill, James Merrill, Mr. Tippican, Robert Whitsett, James Waterson, G. W. Bahn, John Doyle, Thomas J. Dolan, Anderson Gledon, M. S. Swinney, Sabiot Gledon, Dr. E. F. Wells, William Michaels, (was working for Wells,) James Sollers, Olney Evans, William H. Allen, Polite Laravier, Edward Snyder, ——— Anderson, Joseph Ashley, François, a Frenchman, William Shelton, F. Trust, John W. Smith, E. M. Morris, ——— Uno, Joseph Peters, Charles Slimer, Matthias Rapp, Hezekiah Jackson, Peter O'Rourke, Benjamin Dunan, John W. Stephens, James Gillespie, Henry Laguna, were residents of the district. Major Richardson was a resident of the Territory. I worked for him about three months, and he was there pretty much all the time.

Cross-examined by Mr. Howard :

I have known John W. Stephens since I went to the Territory. I heard from him that he was from Virginia. He was a young man, without a family. Mr. Stephens lives near St. Joseph's, Missouri, now. His parents are not living in Missouri. He left the Territory shortly after the election, though he had a claim in Kansas then, but has lost it now, so he told me. I think Elijah Merrill is a man of family, and James Merrill is married. They both live in the neighborhood of Major Richardson, but I do not know whether they live there now or not, as I do not live there myself now ; they were there when I went to the Territory. I do not recollect exactly where Tip-pican lived then, and do not know where he lives now. I do not know where he was from, or how long he had lived in the Territory then, and do not know certain whether he has a family or not, but I think he has. I cannot say how old he was, and do not know as I saw him on election day, or where I saw him last. I never knew him anywhere else except in the Territory, and have never been very intimately acquainted with him ; I recollect of seeing the man there. Robert Whitsett had a claim there at that time, but I do not know where his family was, but I believe he had one. I do not know where he lives at this time ; I know that he lived on his claim on the day of election, but I cannot tell how long he had lived there or where he had come from. John Doyle had a place near where I was working, and had his family with him ; and so with Thomas Dolan. I think that a man who lives in the Territory, and has been living there for some time, and has his family with him, if he has one, he is a resident. I do not recollect much about M. F. Swinney. I think he was there on the day of election, and I have seen him there at other times. He has a family, and lived between three and four miles from Bryant's. Mr. Gladden had a farm there, and his family with him. Mr. Wells was living there. Joseph Sollers is a farmer, and had a family there ; he came from Missouri, and is between twenty-five or thirty years old. I left the neighborhood about two weeks after the election, and have not been back to that neighborhood since. Mr. Anderson is a man of family, and had his family with him. I think Mr. Trent's business is a farmer. I do not know that any of them even had any other house. John M. Smith had a claim, and was living on it. E. M. Morris lives west of Major Richardson's place, and had a family, and was living there at the time of election : he came there with his family sometime during the winter.

To. Mr. Scott :

I went from Major Richardson down on the bottom, opposite St. Joseph's ; got married, and went to California by the way of Salt Lake. I left my wife here on a claim I had. I got back the last part of March, 1856.

BENJ. DUNCAN, his x mark.

LEAVENWORTH CITY, K. T., May 23, 1856.

CHARLES W. STEWART called and sworn.

To Mr. Propper:

I moved into the Territory on the 15th of January, 1855. I came originally from Indiana, by the way of St. Joseph's. I moved in Doniphan County, in Burr Oak precinct, 14th district. I was at the election of the 30th of March, 1855, at the house of Mr. Bryant. There were a great many people there, more than I had expected. I should suppose there were something like 300 people on the ground. I arrived there about 10 o'clock in the morning, and the voting had been carried on for some time. There were a great many strangers there, and many I knew to be citizens of Missouri. I am of opinion that there was at least 50 persons from Missouri that I was acquainted with. I had lived near St. Joseph's five years, or something near it, and was acquainted with most of the citizens there at that time. Some of those I knew were William Hughes, an acting justice of the peace, F. W. Smith, Mr. James Clark, Merrill Willis, Evan Richardson, Mr. M. Moore, Mr. Northcut, the proprietor of a mill, Squire Carson, and a great many others I know. Mr. Cundiff, the editor of the St. Joseph's Gazette, and Wm. K. Richardson were there. I am not very well acquainted all through the district; well acquainted in some portions of the district, and not in others. At that time, I am of opinion that the free State party had a majority of the regular legal residents in that district. I voted that day. I think that the major part of the free State men did not vote. My understanding with them was that they would not vote, because the opposite party had driven their candidates from the track, and they did not intend to participate in the election. The crowd there broke up as persons usually break up at elections, and went off I do not know where. Some were on the ground when I left. I think I did not hear any speeches made that day. I do not recollect of seeing any persons vote. I had some conversation with some of them in regard to voting. They pretended to say that there had been a rush of abolitionists to the Territory to vote, and that they had an equal right to vote in the Territory. It was contended by many that they had a right to vote, but I do not know upon what ground except perhaps that they were present. They gave as a reason for voting that it was in retaliation to the course pursued by the abolitionists.

Cross-examined by Mr. Scott:

I do not know what free State men left the polls without voting. Matthew Isle told me he did not vote. I have looked at the poll lists, and I do not find the names of some free State men I know. I do not know of my own knowledge that any free State men went home without voting. I do not recollect the persons who said that the other party had driven off our candidates. I think Mr. Fee, or Mr. Harding, I am not certain which, told me that they had withdrawn their names to prevent bloodshed, as a party had come over from Missouri the evening before with arms, and encamped upon the ground near there. No one tried to prevent my voting that day. I voted for Capt. Whitehead, and no one else. I made nothing like a speech

there. I said I was a candidate for "Congers," as we used to say in Indiana when we were boys, and used to go sparking old Congers daughters, but I made nothing like a speech. I got some liquor at the Indian wigwam, took it with Squire Carson, Major Richardson, and Judge Leonard, some whiskey the Missourians had brought over.

Mr. Evan Richardson tantalized me by saying "what will you do with your abolition sentiments to day, just look there," pointing to the wagons. There was not I think the very best feeling there between the parties. I saw some guns in wagons, but am not positive about seeing any upon persons. One gentleman in company with Merrill Willis told me he was from Grand river, and had come over with a wagon in which there were some guns, and showed me his gun. If I saw any person armed it was with nothing but side arms, but I could not say I saw even that.

C. W. STEWART.

LEAVENWORTH CITY, K. T., *May* 23, 1856.

COLONEL A. M. MITCHELL sworn.

Question. Were you at the election at Burr Oak precinct?

Answer. I was.

Question. How was that election conducted; was it quiet and orderly?

Answer. I considered it as much so as elections usually are.

Question. Did you see many Missourians there?

Answer. I did.

Question. Do you know the object of the Missourians being there?

Answer. It was understood at St. Joseph's that two or three steamboats were to arrive about the time of the election loaded with Emigrant Aid men from the north, for the purpose of voting and carrying the election at this precinct for the free State men, and the people of St. Joseph's and vicinity determined they would be on the ground in large numbers and prevent them from voting who had come there merely for the purpose of voting.

Question. Do you know where W. P. Richardson lives?

Answer. To the best of my belief he is a resident of Kansas.

Question. Do you believe he was a resident of Kansas on the 30th of March, 1855.

Answer. I do.

Question. Have you a knowledge that he was a resident of the Territory at the time of the first congressional election in the Territory?

Answer. I believe he was a resident there, and has been ever since.

Question. Did you make a speech in St. Joseph's a few days before the election; and what did you advise the Missourians to do?

Answer. I did; and advised them that they had no right to vote in the Territory.

Questioned by committee:

Did not other prominent citizens of Missouri take a different view

of the law, and claim that any one on the ground in the Territory on the day of election had a right to vote?

Answer. I know of no one but General Stringfellow, who took that ground at the public meeting at which I spoke. I don't remember that the other speakers defined their positions in that respect.

A. M. MITCHELL.

LEAVENWORTH CITY, K. T., May 23, 1856.

HENRY S. CREAL testifies.

To Mr. Scott:

I was residing in the Territory on March 30, 1855, and was at the election on that day, at Mr. Bryant's in Burr Oak precinct, in the fourteenth district. I was acquainted with very many of the residents of the district, and I think the pro-slavery party had a decided majority in the district at that time, seventy-five; perhaps more on the day of election. Major Richardson resided at that time in Kansas Territory. I know this from the fact that I was frequently at his residence, and he was our candidate for councilman. I took some pains to inform myself as to the number of resident voters in the district, and I think there was at least three hundred votes, and my belief is increased from the vote polled at our primary elections. The weather was very bad, and we polled at the primary election over one hundred votes, and I am satisfied not one-third of the voters in the district were out at that time. I was acquainted with a great many Missourians who were over there. Their object in coming, as I understand, was to make Kansas a slave State if possible. It was rumored there, and believed by many, that a great number of men would be sent into the Territory by the eastern aid society to be at our election, and that there would be some at our place of election, and the Missourians came over there to prevent them from voting, and to counteract their voting. I saw no arms there on the day of election. There was no disturbance of any kind at the polls, and it was as quiet and orderly an election as I ever saw. I think the free State candidates were not driven from the field by any threats or opposition. I did not hear Mr. Fee's announcement of withdrawal.

Cross-examined by Mr. Sherman :

The report about the Emigrant Aid Society was believed up to the day of election. It was said at that time, and the name of the captain was given, that many of these eastern people were on their way up the river, and it was determined by the captain of the boat to ground his boat below St. Joseph's. It was generally believed, I think. It was expected that these emigrants would arrive at the precinct the day before the election. It is likely, if the emigrants had been coming as was rumored, they would have landed at St. Joseph's, as that would have been their most convenient point. The boats going up and down the river almost always stop at St. Joseph's. I presume if they had arrived, it would have been known at St. Jo-

seph's. Some of the citizens of St. Joseph's came over on the day of election, and some the day before. It is likely those who came over knew the rumor as to our district was not true in regard to these emigrants. The reason I heard given was that they came over in consequence of this rumor, and they came over for the purpose of counteracting this emigrant vote and preventing their voting. I think that rumor, judging from the actions of the leading citizens of St. Joseph's, was believed by them on the day of election. The claim was made by myself and by others, as a matter of right, that the citizens of Missouri had a right to vote in Kansas if they were on the ground on the day of election. I do not know how far this was believed. Some believed that and others did not. Some said they had no right to vote, and others that they had a right to vote and would vote. There was also the other claim in relation to counteracting the action of this eastern Emigrant Aid Society.

To Mr. Scott:

I have heard resident Missourians claim that they had a right to vote merely because of their presence on the day of election at the polls in Kansas. The general doctrine was that if they were present on the ground on the day of election, and lived in Missouri at the same time, but had claims in the Territory, and intended to come over here to settle, they therefore had a right to vote here. I have no doubt but that Major Richardson got a majority of the legal votes cast on that day. Very many of the freesoilers did not vote. I have no doubt but what Major Richardson received at least two-thirds of the legal votes cast that day.

To Mr. Oliver :

I saw no force resorted to on that day to prevent the free State men from voting or attempted to be employed, and I do not believe such a thing was thought of by any of my party. I never attended an election where so much interest was felt where there seemed to be so much good feeling between the people there.

H. S. CREAL.

LEAVENWORTH CITY, K. T., *May* 23, 1856.

GEORGE W. GILLESPIE called and sworn.

I came into the Territory on April 11, 1855. On March 30, 1855, I was at St. Joseph's, Missouri, on my way to the Territory, with my teams and goods, and I crossed the river there and voted in the Territory just below Whitehead's. There were a great many at that election. I should think there were two thousand of them. I had no conversation with them, and as soon as I voted I crossed back. I saw these men going up to the window where the votes were taken, but I cannot tell where they were from. I do not recollect whether they were armed or not. There was a dinner provided there free to all who wanted to eat. I eat there and paid nothing for my dinner. When I came over from St. Joseph's to vote, and when I went back

to meet my family on the road, there was a large crowd along. There was no charge for ferriage either way. The boats were passing backwards and forwards all the day. After voting and returning I went down the river to meet my family, who were on their way to the Territory, and met them and crossed at Weston, some twenty-five miles below, and came to the Territory and have been here since. General Richardson appeared to be the leader of the party that day. The place of voting was just opposite St. Joseph's some four and a half miles from the landing. I do not remember who were the candidates, except that Richardson and Whitehead were running for council. My two sons came over and voted at the same time, as did my son-in-law. Upon examining the poll list of the fourteenth district, Burr Oak precinct, I find that I voted No. 170. This I can only tell by finding it on the poll books.

G. W. GILLESPIE.

LAWRENCE, K. T., *May 9, 1856.*

CARY B. WHITEHEAD called and sworn.

To Mr. Scott:

I live in Doniphan county, in what was formerly Burr Oak precinct, in the fourteenth district in this Territory. I moved from St. Joseph's, Missouri, in January, 1854, to the Territory; I made my claim in July, 1853. I am at present sheriff of Doniphan county; I was one of the judges of election at Burr Oak precinct at the election of the 30th of March, 1855, to which office I had been appointed by Governor Reeder, and acted as judge at that time. I think I was as well acquainted, perhaps better than any other man there, with the residents of the district at the time of the election. I should judge that at that time there were about four hundred voters in that precinct, though there may have not been over three hundred and fifty. There were no votes cast on the day of election but what we considered legal at the time. I have been examining the poll books and I find some names upon them I do not now recollect, and a great many I do recollect. There are a number of French and German names which I do not recollect now. There are French, German, and Norwegians living in that precinct whom I know by sight but not by name, and they were legal voters at that time and they voted. In looking over the poll books I find the names of many who were sworn, as they were not naturalized and had merely filed their intention to become citizens. I know there were such persons living in the precinct at the time of election, but I do not recollect their names. I have examined the list of legal voters taken from the poll books and given in the testimony of Mr. Heed, numbering some 130, and I think I know pretty nearly every man on that list to have been a legal voter at that election. There are some few names I do not recollect. I have examined the poll books of that election and have made out a list of eighty-one additional names of legal voters, that I know the names of, and I

knew to have been legal voters at the election of the 30th of March, 1855, they are as follows:

B. E. Lowen, John Edmondson, Oby Evans, J. Peters, H. Doyle, E. R. King, James Roberts, Sherrod Lawhorn, James Lawhorn, E. C. Smith, C. L. Parker, Polite Levier, R. Dodd, S. M. Gardner, J. Denoble, J. W. Stephens, Edward Snider, R. Osborne, James Lovel, S. P. Blair, E. Moran, S. J. Floyd, William J. Roland, J. M. Parker, Madison Osborne, Philip Manuel, W. H. Gillespie, William McGrew, William Chapman, William Ayres, Porter G. Roberts, P. H. Roberts, John P. Brady, J. Pecar, T. Reed, John Arnet, John Henderson, N. Holmes, Q. Ball, Elijah Merrill, F. Duvall, J. Randolph, J. C. Stump, E. F. Wild, David Jones, Levi Lyman, J. P. Irvin, J. Craft, William Davis, Benjamin Sprouse, John Kelly, S. K. Camell, Levi Shepherd, F. Lariman, Thomas Howell, James Taylor, F. Purcell, G. W. Gillespie, R. B. Ayre, J. Welsh, W. J. Copeland, C. M. Gilmore, J. Morrow, Horace Teron, Henry Roat, Francis Murphy, Gaspar Lariman, G. W. Davis, G. Armstrong, J. Beattie, Joseph Gillespie, William Michaels, A. C. More, E. Taylor, Philip Kerlin, Jacob Osenberger, Samuel Anderson, James Michaels, G. B. Groomer, and William J. Palmer, eighty-one in all. There are in that county, in what used to be Burr Oak precinct, two ferries from St. Joseph's—one at Whitehead, one at Palermo, one at Bontown, one at Boston, one at Kelly's Ferry. They were all employing men, four to six hands to each boat, and they lived in the Territory, and were considered legal voters, but I do not know all their names. There are names on the poll books that I cannot recollect anything about, and a good many that I know were present and voted, but I cannot recollect now where they lived. There were a great many more legal votes cast that day for Major Richardson than were necessary to elect him over Captain Whitehead, even if Captain Whitehead had got all the free State votes in that precinct; and if all the free State ticket had run, I have no doubt they would have been beaten. I told the free State candidates that morning that I would bet them \$100 that if they run we would beat them one hundred clean votes, and there should be no illegal voting done that day. I went to the polls that morning tolerable early. Just as I got to the polls I met John Fee; he was the first man I spoke to there. He spoke to me, and said he wished me to do my duty as judge of election on that day; that he and the other two free State candidates, Harding and Larzelere, had concluded to withdraw from the field, with the understanding that they were to use their influence for John Whitehead, my brother. I asked him his reason for withdrawing. He stated that he had canvassed the district, and was satisfied their ticket could not be elected; he thought he himself might be elected, but he could not pack Harding and Larzelere. Just at that time Harding came up, and we continued to talk for some few minutes, and Harding himself acknowledged that they had concluded to resign and use their influence in favor of Captain Whitehead; this was at least an hour or an hour and a half before the polls were opened or the judges elected. I told Fee that the pro-slavery party could beat them one hundred votes in the district; that I had counted them and could tell him to a man the

difference between the two parties. I told them that from the best calculation I could make the pro-slavery vote in that precinct was just eighty-seven votes more than the freesoil vote, and I told them they might run and we would show them that it was so. I tried to get them to run for that purpose. I put a hundred cattle in the rush brake, and I paid the Indians \$50 for the privilege of doing so, and have done so since 1852. In this way, and because I herded altogether about a thousand head of cattle, I had a better chance than any one else to tell who lived in the district. Major Richardson resided at that time in Burr Oak preeinct, in Richardson bottom, or Bontown bottom, or Big Tront Lake, about a mile and a half from the town of Whitehead. Major Richardson bought that claim in the latter part of the summer of 1854, from William Jordan, and gave \$250 for it, and has been living on it ever since. I have staid with him, I should think, a hundred nights, and I rarely ever found him away from the place.

Cross-examined by Mr. Howard: .

By legal voters, I mean that the greater portion were inhabitants of the Territory at that time. They had claims there, had property there, had houses there, and were living there, though some of them did not have their families there. Many came up and offered their votes, and declared they were resident citizens of the Territory and were willing to swear to it. A number of them I did swear, and I called on the people standing round, that if they thought proper, then was the proper time to challenge their votes. I considered those persons legal voters who had claims and property there, and were living on their claims, whether their families were with them or not. I knew at that time, and I know now where every man lived and lives that I have put on my list. The most of them had claims, though some were hired out, some in the saw-mill, some on the ferry boats. I am not very well acquainted in Missouri. I recognized some names on the poll books that I knew lived in Missouri at that time. Evan Richardson was there and claimed to be a citizen of the Territory, but he has not moved into the Territory since. He claimed to be a resident, and said he had a claim, and we allowed him to vote. I have never seen his claim, and he has never moved on to any claim that I know of. A large majority of the men in the list I have given had claims, though all were not living on their claims, but some were out at work for other persons. One young man came up to vote, said he was a citizen and had a claim, and ninety-nine men out of one hundred would have taken him to be twenty-three or twenty-four years old. The other two judges were about to let him vote, and I questioned him about his age, and he admitted he was not twenty-one years of age, and he did not vote. J. W. Stephens is now in Kentucky, I think. He then lived in the district and worked for Major Richardson. He was a carpenter. Wm. K. Richardson was there. He had a claim in the Territory, and lived almost as much in the Territory as he does in St. Joseph's, where his family is, but I do not know as he has ever had his family over there with him. He has a farm of one hundred and sixty acres on the prairie, all fenced in. I do not know whether the

names I have given on my list were all on the census. The county was settling every day after the census was taken, and has been settling almost every day since. The men I put on my list came mostly from Missouri. The most of our county of Doniphan is settled from Buchanan, Platte, and Andrew counties, Missouri. I called all those who had claims, made improvements, and lived on their claims, whether they had their families with them or not, legal voters. There were some Missourians who had cattle and claims in the Territory without calling themselves citizens, though not many.

CARY B. WHITEHEAD.

LEAVENWORTH CITY, K. T., *May 26, 1856.*

THOMAS W. WATTERSON called and sworn.

To Mr. Scott:

I reside in Doniphan county, Kansas Territory, and have resided there with my family since June, 1854. I removed to St. Joseph's, Missouri, from Butler county, Ohio, left my family there some six weeks, and then took them to the Territory. I am quite well acquainted with the Burr Oak precinct of the fourteenth district, and was about the second family that moved into that precinct after the treaty was made with the Indians. On the 30th of March, 1855, the weight of the population of that precinct was contained in the Burr Oak bottom, the St. Joseph's bottom, the neighborhood of Major Richardson, and the Cadue bottom, or the bottom below St. Joseph's bottom. To the best of my recollection there was very little over thirty votes in other parts of the district. I was at almost every house in the precinct twice before that election. I was a pro-slavery candidate for the legislature before the preliminary conventions of the pro-slavery party. I think there was five of us pro-slavery candidates, all desirous of receiving the nomination. The last time I passed over that precinct was immediately before the election, not exceeding two or three days. It was but a day or two before the election, when I got through canvassing that precinct. I took a good deal of pains in regard to finding out the number of voters in that precinct, and the way they would vote on the slavery question. I had a memorandum book in my pocket, and I took down the names of those voters who were in favor of the pro-slavery ticket, and also those in favor of the freesoil ticket, and also those who were doubtful, making three classes. The object I had in doing this was to find our strength. After dividing the doubtful ones among the pro-slavery and free State parties, our proportion was about two to one. And we had a decided majority if we gave all the doubtful ones to the free State party. I do not recollect precisely the number of actual residents in that precinct, it was in the neighborhood of three hundred, a few more or less. This I made out as near as I could. In the Cadue bottom and the neighborhood, I should judge there was from fifteen to twenty voters; there may have been a few more. All that I know about the division in the free State party, is what I heard one family

say who were called freesoilers. I cannot say anything except in this particular instance. My opinion is, that the free State candidates could not have got the full strength of the free soil party, though it may not have fell short much. I have conversed with Charles Slinner a number of times, both before and after the election, and he has always expressed himself in favor of the pro-slavery party. I did not see him vote on the 30th of March, 1855, but he said that he voted the pro-slavery ticket. I was a justice of the peace, appointed by Governor Reeder in November, 1854, and held the office until the assembling of the legislature. I went in company with those elected in the Burr Oak precinct to Governor Reeder for the purpose of obtaining our certificates, and we obtained them without any objections from any quarter. Governor Reeder told me we deserved credit for the manner in which our election was conducted.

I believe that on our way down we did not meet any men from the east who had been here in the Territory and voted and was then on their way back. We met some coming in the Territory who told me that they were to have been here before the election, and appeared to be very much out of humor because the officers of the boat did not deliver them here as soon as they had promised. I was not acquainted with any of them; did not inquire their names. A large portion of what I saw was after we got to the main road from Kansas City, Missouri, into the Territory, between there and the Shawnee Mission, and then we were hardly ever out of sight of groups of from two or three to half a dozen. Nearly all we met were men, on foot, with carpet sacks and bundles in their hands. They said the agreement was that they should have been landed here before the election. We rather led them on to speak by saying they were too late for the election, and they said the agreement was that they should have been before the election, and seemed very much put out because the steamboat had not got up sooner. They said nothing that I recollect of about voting if they had got here in time. I asked where they were from, and they said from Massachusetts. I do not recollect that they said anything about the Emigrant Aid Society; whether they were sent, or came of their own accord. We remained at the Mission some five or six days, and as we returned we met a number of men travelling in a similar manner, going out of the Territory. I made no inquiry of them, and I do not recollect that any of our company did. I could not say whether they were the same men or not that we met going in. My impression was that they were eastern men. I went over in a wagon to Willard P. Hall's, with Mrs. and Major Richardson, at the time we started down to see the governor, some day or two after the election, the 2d of April, I think, though I may be mistaken as to the time. Willard P. Hall was not in company with us at the time of the election of the 30th of March, 1855. Major Richardson resided in the Burr Oak precinct. Only two days before the election I was at his house, in what we called the Richardson bottom, about two miles east from where I live. Mrs. Richardson came over while I was there in a two horse or mule wagon, a black man driving. Major Richardson has a double log cabin as good as most of us have, some servants there, some hands employed, and all carried on as if they were living

at home. I think it was in October, 1854, that he commenced house-keeping there. I had eaten at his house a number of times before the election. He had cleared a pretty considerable field and prepared the ground, prior to the election, for planting. Messrs. Fee, Harding, and Larzelere did not canvass the district at the time of that election near as much as we did. I heard of them once in the Calus bottom, and once in the Burr Oak bottom. I did not hear that they had been from house to house as I had. The Lawhorn's told me they voted the pro-slavery ticket, but they had intended to have voted the free State ticket at first, but after they heard the speeches of the free State candidates they determined to go for the pro-slavery ticket.

T. W. WATTERSON.

LEAVENWORTH CITY, K. T., *May 24, 1856.*

ALBERT HEED called and sworn.

I live about four or five miles west of St. Joseph's, in this Territory, in the town of Wathena, and have been living near there since July, 1854, with my family, and without my family from April to July, 1854. I was raised in Ohio, came to Missouri, and then to the Territory. I was born in Virginia. I live in the Burr Oak precinct, in Doniphan county, and have been since July, 1854. Governor Reeder appointed me to take the census of the fourteenth district, which I did, and got me to distribute the election blanks in the district. I consider I was pretty well acquainted with most every person in the Burr Oak precinct at the time of the election of the 30th of March, 1855. I had considerable conversation with Governor Reeder about that election, when I was down there and made the census returns. He told me he expected a great many emigrants into the Territory before the election, and a great many of them from the east; he came to speak of it when speaking of the annoyance he had from the many letters of enquiry he received in regard to the Territory. He said he expected a great many into the Territory, especially from Pennsylvania. I had been in Pennsylvania, and had a great many connexions there. Some he knew, and that is the way the conversation came up. He asked me for information in regard to laying off the different precincts in the district, which I gave him. He said the only opportunity he had of getting such information was from those who had been taking the census. Burr Oak precinct was laid off according to lines recommended by me. He made a good deal of enquiry in regard to the politics of those in the district, and how they stood upon the slavery question, and that alone. I represented to him that in the lines of the Burr Oak precinct I proposed, there was a free State majority; this was while we were laying off the district. I do not know as he expressed any interest in having a free State majority in the district thus laid out. I asked Governor Reeder then what time the election would take place. He said he did not know exactly, as there was one census return that had not come in, and he could not appoint the time until the census returns were all.

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in. He said he should have some considerable trouble in apportioning the districts. I think this was in the last of February or the first of March, 1855. I was introduced by Governor Reeder to General Pomeroy, and I have seen him but once since. I do not know what his business was. I think General Pomeroy told me the election would take place about the 27th or 28th of March; this was while I was down with the returns to Governor Reeder. I think I was pretty well acquainted with most of the actual resident voters in the Burr Oak precinct at the election of the 30th of March, 1855. During the time I was taking the census there were emigrants coming in almost every day. There were some few who had got in at the time I finished the census, which I did not put down. I noticed that as soon as I began to take the census they began to come in so as to be on their claims. I do not recollect distinctly the number of voters in that precinct. All the names of the voters for the district were given in together. I think the number in Burr Oak precinct was little over the proportion for two representatives and one council man, that is, 215; but it was something near the proportion, so far as I recollect. I do not know how many was there at the time of the election; there was more than when I took the census; I think there were about 300. A great many who came in—a large majority—were pro-slavery men who came over from Buchanan county, Missouri, who had made claims and improvements previously, and who moved on their claims that spring. I have examined the poll books of the 30th of March, 1855, and find there the following names that I know to have been actual residents at that time:

E. Blackstone, Thomas H. Baker, Mr. Dix, Samuel Montgomery, F. Ridge, B. D. Hodgwood, Wm. N. Irish, F. B. Anderson, E. G. Robinson, James Sollers, James Watterson, Thomas Dolan, W. Thomas, Joseph Skinner, George Shaw, Wm. Jordan, A. A. Hughes, Wm. Deckord, Wm. Ridge, A. Larzelere, Jerry Lewis, Peter O'Roke, Matthias Rapp, Wm. M. Morgan, J. W. Smith, J. M. Morrill, W. H. Allen, Samuel Piles, J. D. Armstrong, J. M. Fay, John Doyle, Anderson Gladden, Henry Lewis, Robert Whitsett, John W. Copeland, J. D. Lawhorn, N. Bell, Matthew Elliot, R. Nyax, Hezekiah Jackson, H. Thompson, M. F. Swinny, Wm. Skelton, L. D. Cooke, Charles Eggers, P. Lowry, O. Hulan, Joseph Ashley, J. Coke, E. P. Weaver, L. McLellan, J. Yonder, S. L. Sollies, Wm. Matthews, Benjamin Duncan, L. Copeland, Wilson D. Moore, H. D. Adams, H. Smallwood, J. W. Smith, W. B. Shoupe, J. M. Farmer, Samuel Kirkpatrick, F. Trent, B. H. Brock, John Copeland, J. Kendall, Wm. Palmer, J. Groomes, John Fee, Phillip James, James O'Toole, Peter Cadue, Major Adair, Jarrett Treble, A. Treble, Charles Cradier, John Trottmann, H. L. Creal, Charles Skinner, Eli Copeland, J. J. Lovelady, M. E. Bryant, Wm. Laforge, Frost Snow, Benjamin Harding, John McCafferty, Joel P. Blair, C. M. Stewart, Newton R. Carter, Thomas Blatherslap, Francis Torrey, Matthew Toles, W. Dodson, Joseph Schiff, James O'Toole, sen., A. G. Mansfield, Thomas Stewart, F. M. Morse, A. B. Groomes, H. H. Churnley, Noah Vogan, Richard Morris, S. E. Morris, R. L. Morris, Bart. McCall, Wm. P. Richardson, Thomas W. Watterson, Albert Heed, W. Fee, D. O'Toole,

James R. Whitehead, C. B. Whitehead, H. J. Johnson, Wm. A. Hill, Wm. Arthur, Tapley Ralph, John H. Whitehead, Roberts, — Howe, — Gilham, — Findle, Pendleton, Kincaide, Reed, Treble—130 in all.

There are a good many names on the poll books I cannot make out. I was one of the judges of the election. At the time of the election I was pretty well acquainted in St. Joseph's, Missouri, as I had lived there some five years. I find upon the poll books: Nathan Newly, Himrod Duncan, sen., William Salley, E. Richardson. There is a young Himrod Duncan living in the district, and an old man Himrod Duncan lived in Missouri. I know an Evan Richardson in Missouri, but no E. Richardson in the district. I thought Wm. Sally was a legal voter at the time of the election, but now I think he was not. There were other legal voters in the precinct I did not know by name, or did not know their first names. Some few in the district who were legal voters did not vote. Major Richardson was a resident of Burr Oak precinct when I took the census, and I took dinner with him; Mrs. Richardson was there and sat at the head of the table. Mr. Blackstone, one of the judges of election appointed by Governor Reeder, said he could not serve as he had to attend to his ferry opposite St. Joseph's. He was a pro-slavery man, and has been ever since I knew him.

ALBERT HEED.

LEAVENWORTH CITY, K. T., *May 24, 1856.*

JOEL P. BLAIR called and sworn.

To Mr. Scott:

I reside in Doniphan county, and in what was formerly the Burr Oak precinct, in the fourteenth district, in Kansas Territory. I was a pro-slavery candidate in that precinct at the election of the 30th of March, 1855, regularly nominated on the ticket by the primary meetings in the precinct. I canvassed the precinct three days, and rode pretty much all over it. My business was to learn all I could about the strength of the free State and pro slavery parties, and I went around until I was satisfied that there was a majority on the pro-slavery side of nearly two to one. I suppose I was acquainted with a majority of the voters in the precinct. Some neighborhoods I was acquainted in and some I was not.

I was at the place of holding the polls on the 30th of March, 1855, and was there when the announcement was made of the withdrawal of the free State ticket. I saw no indication of hostility between the two parties, either before or after the free State ticket was withdrawn.

I have examined the poll books furnished by this committee of the election of the 30th of March, 1855, in Burr Oak precinct, with a view of finding what names of legal voters of that precinct I could find, in addition to those furnished by Mr. Heed in his testimony, and I found some twenty or so that are not on Mr. Heed's list.

Major Richardson lived, prior to and at the time of the election, in

what was called the Bontown bottom. I was at his house in the winter previous to the election several times, and spent the night at his house. He had a double house, living as men do elsewhere, with bedding, furniture, &c., and cattle and hogs on his place, and some dogs about the place. He has been residing there ever since.

I went down to Governor Reeder to get my certificate of election. He told me his family was in Pennsylvania, and he was going for them in a few days, and could not convene the legislature for some two months. He did not say that his family had ever been in the Territory, or how much family he ever had. I do not know as he ever had any family in the Territory. I knew him while he was boarding at the Shawnee Mission, after he came back, which was nearly if not quite all the time the legislature was in session. Governor Reeder gave me a certificate of election to the legislature without any objection being made, as also to Major Richardson and Mr. Waterson.

JOEL P. BLAIR.

LEAVENWORTH CITY, K. T., *May* 26, 1856.

JOHN H. WHITEHEAD called and sworn.

I moved into the Territory, in the fall of 1854, from St. Joseph's, Missouri, and settled about five miles northwest of St. Joseph's, in the Burr Oak precinct of the fourteenth district. I was at the election of the 30th of March, 1855, at Bryant's. Myself, Major Richardson, and Mr. Harding were candidates for council. Mr. Blair and Mr. Waterson on one side, Mr. Fee and Mr. Larzelere on the other, or free State side, were candidates for house of representatives. On the morning of the election, Messrs. Fee, Larzelere and Harding, the free State candidates, withdrew. On the day before the election I held a conference with Mr. Fee, as to the position that we all occupied before the people of the district, and our conclusion was, that Mr. Harding and Mr. Larzelere were not strong enough to carry the vote of the free State party, consequently there was no chance for their success. He promised that when they met the next morning on the ground of election, he would use his influence with those men to withdraw and cast their suffrages for me. It was generally rumored among our people that the people of Missouri were coming over to vote at our election. I do not know whether it was generally credited or not, but it was believed by some and not believed by others. Missourians did come across on the day before and the morning of election, a good many of them, I should suppose from one hundred and fifty to two hundred. I think some of them voted. My acquaintance in and around St. Joseph's was about as good as any man who lived there, I think, as I had lived there pretty much since 1839. I was present at the polls most of the time, but not all, backwards and forwards during the day. My memory is bad as to names, and I may not be able to call over now those I saw there. I saw some of them vote. They claimed to vote because people were coming to vote from the east right into the Ter-

ritory to the election, and their voting was but a set off to the other. I do not recollect that they claimed any right to vote because of the provisions of the Kansas-Nebraska bill. I think the reason I have given was the only one I heard given. The polls opened about eight or nine o'clock in the morning. I think the judges appointed by the governor did not serve, but I heard them assign no reason for their not serving. Mr. O. Huron did not serve that day. He was on the ground part of the time. I do not recollect whether he was on the ground before the polls were opened or not. I did not hear them say why he did not serve. Mr. Blackston and Mr. Huron did not serve, and I do not recollect the third man appointed by the governor as judge. I do not know how the judges who did serve were chosen, for it was not done in my presence. Mr. Heed, Mr. Johnson, and Mr. Whitehead, my brother, served as judges that day, and were all residents of the district at that time. There was some objection made to the Missourians voting when they went up to vote. I challenged one man's vote myself, the vote of Mr. Newby, who lived in the east part of Buchanan county, Missouri. I think he was permitted to vote; he was not sworn, to the best of my recollection. I did not see any one sworn that day as to their qualifications to vote, though there might have been. When I challenged his vote, I do not know that any particular reason was given why he should vote, and we stood there awhile, and I asked the judges if they were going to allow him to vote, and no answer was made that I recollect of. I walked away then. He voted. I have known this man since he was a small boy, and he is a man of family now, and I was satisfied he had not moved to Kansas, even if he had a claim. I do not recollect now whether I stated to the judges the grounds why I challenged his vote. I do not recollect whether or not he stated the grounds why he claimed to have a right to vote. I challenged no other vote that day. I heard Mr. Groomes, while I was standing a little way off, challenge a vote, but I do not recollect the name of the man who offered to vote, or the disposition of it. I think three hundred and three votes were cast that day, and between fifty and one hundred votes were illegal, and I thought at the time I knew that many persons there were not residents. There were many strangers voted there that day, probably some of them were legal voters, though I cannot say about that. Mr. Fee, one of the candidates, withdrew himself the morning of the election, giving as a reason that there was not a union among the party. He told me the morning of the election that it was the understanding that the free State ticket should be withdrawn entirely. I do not think the presence of non-residents had anything to do with it. Mr. Fee expressed no apprehension of danger to me, and I apprehended none myself from the presence of non-residents. I do not know who these non-residents voted for that day. I believe some of them voted for me, though I requested them not to do so. I do not think the free State men voted that day as a general thing. Some of them did vote, and some went away without voting, because there was no ticket of their party in the field. If the vote had been confined to the actual votes of the district, I cannot say whether the

result would have been the same. If the lines had been strictly drawn, I think the pro-slavery party would have beaten. I had taken a good deal of pains to inform myself upon that point. If all three of the candidates for council had run, I cannot determine what the result would have been, but I think it would have resulted as it did, for it would have driven men to unite on the candidates of their party. I was running as a pro-slavery candidate. I cannot explain why the votes for council were more than for representatives. I cannot say whether the free State men who voted, voted for representatives or not, though I supposed they voted a full ticket. I thought the election on that day was as peaceable an election as I ever saw. I never saw better order on the election ground in my life. All voted, so far as I knew, who wanted to. The contest was all on one side, except between General Richardson and myself. Some of the free State men asked me if it was necessary to vote for me. I told them to use their own pleasure, but cannot say whether they voted for me or not. The free State men were very greatly in the minority in the crowd about the polls, though there appeared to be a great many about the polls the first part of the day. I do not remember the names, or that I saw many persons there on the day of election that held offices in Missouri. Mr. Scott was attorney of St. Joseph's at that time, and was there on the day of election at our precinct. Mr. Stringfellow was there, but I do not recollect about those who held offices in Missouri at that time. A great many of the leading citizens of St. Joseph's were there, but I do not know what part they took in the election. I do not recollect of any speeches made there that day, except by Major Richardson and myself.

Cross-examined by Mr. Scott :

I understood, when I had a consultation with Mr. Fee the day before the election, that he was to use his influence with the free State candidates to withdraw, and have the free State men vote for me. The votes to be given by Missourians, I think, had no influence with either Mr. Fee or myself. He had no right to think that the citizens of Missouri would do anything to injure him, as he had long been a citizen of Missouri himself. The only apprehension seemed to be that he would not get votes enough of the actual residents to secure his election. Mr. Fee assigned as a reason for withdrawing, that Harding and Larzelere were unpopular in their party, and if he himself ran he would have to carry them, and therefore he thought it best for all to resign. When he announced, on the morning of the election, that he had succeeded in making this arrangement, I understood it to be in consequence of our arrangement of the day before, and not in consequence of the presence of Missourians there. There was a report in circulation that the Missourians came over there that day, because it was rumored that aid emigrants were to land there that day and go to the polls, but I do not know where the rumor came from. I inferred this much, that if the reports of the landing of these emigrants below were true, they might land at our place, but I knew nothing about the truth of those reports. I examined the poll books afterwards and found the names of a great many there I knew to be actual residents of Missouri at that time, between fifty

and one hundred, but I do not recollect their names now. I estimated the actual voters of that district at that time as between 150 and 200. There might have been a few more or a few less. I made as good a calculation as I could when I canvassed the district, and I was satisfied that we had a majority of pro-slavery men in the district, twenty-five or thirty, or more. Mr. Fee and myself had a great deal of talk, and we concluded that the ticket could not have been elected even if the free State men had a majority, because they were not united on their ticket. I reckoned that Major Richardson was a resident of this district at the time of the election, and I so regarded him when I ran against him. The first I heard of anybody being shot at the election was when I was told that Mr. Jamison had so testified before the committee. I saw none of the Missourians armed that I recollect of; if they were, they had them concealed. I judge they were not more so than men here to-day. I do not think that General Stringfellow acted as clerk of the election at any time that day; if he did, I did not know it, and I think I should have known it if he had so acted. If there was any fighting committee appointed, and left there that day, I did not know of it, and I saw no necessity for it.

To Mr. Sherman:

There was a difference of opinion as to the majority, each party, the pro-slavery and free State parties, claiming the majority in that district. No eastern aid emigrants landed in our district that spring, that I know of. Ex-judge Leonard, of Missouri, was there that day. In the evening, just before the polls were closed, as the people were going off in every direction, he got up and asked them to stop till the polls were closed, and they would all go home together; all of his own company, I suppose.

JOHN H. WHITEHEAD.

LEAVENWORTH CITY, K. T., May 23, 1856.

FOURTEENTH DISTRICT—*Doniphan Precinct.*

RICHARD TUCK was called and sworn.

I came into the Territory in the spring of 1854, and settled about a mile below Doniphan. I came from Boone county, Missouri. I was at the election at Doniphan on the 30th of March. I got to the polls very early in the morning. They had not commenced voting. There were about 200 or 300 around the polls when I got there. The crowd continued there during the day. Most of them were strangers to me. I knew a great many of the people round where I lived, and knew the settlers generally. Perhaps thirty or forty of the men around the polls were settlers. I knew some of these used to live on the other side of the river in Missouri. B. G. Wells, W. C. Wells, my father-

in-law, Mr. Moberly, of Rushville, Missouri, and another by the name of Watson M. Starboard, were among them. I was in their camp the night before the election. It was at the crossing of Independence creek, about one mile and a half below Doniphan. One of their party told me there were near 200 of them. They had tents, wagons, and plenty of arms. Their arms were double-barrelled shot-guns, pistols, bowie-knives, and rifles. Each man seemed well armed. They had plenty of provisions, and whiskey and brandy together. They had either three wagons of provisions, or drove up one wagon three times. I talked with some of these men at their camp—some five or six of them. They were free in talking about their purposes. They said their purpose in coming was to vote and make Kansas a slave State. They did not tell me why they brought so many arms. Some of them said they were from Clay county, some from about Weston, and some from Buchanan county. I supposed that some of them had claims out back in the Territory, and asked them if they had claims, and they said they had taken claims as they were coming along up the river, by driving stakes down with their names on them. I asked them if they were ever coming back to their claims, and they said they might and they might not; they didn't know as they ever would. They said nothing to me about any other inducements, except to make Kansas a slave State. They appeared to be all leaders; there was no one man who seemed to lead. They had no signs or ribbons attached to their coats. They did not appear like settlers. All I could gather from them was, that they were going to vote, and going back home next day. I saw no women in their camp. I think I saw trunks and carpet sacks. I saw no household furniture in the wagons. They came up to the polls very early the next morning. I live within three hundred yards of where they camped, and went up to the polls at same time they did. I went up on foot, they in wagons, and had no chance to converse with them. I noticed no flags. They had drums, fifes and fiddles along. When they got near the polls they all got huddled up around the window and went to voting. I saw them vote. I stood right there and watched them all day. Their votes were received without objection. I did not see a man sworn that day as I know of. They stacked their arms up under the house they voted in. They voted in Mr. Foreman's store. It was a frame building, a foot and a half high from the ground. They staid there all day, until they got ready to go home in the evening. They commenced stacking their arms under the building, and filled up the space so well, that if there was any more room there I did not see it. About all I heard the settlers say was that it was not worth while to vote. I don't know whether any of them went off without voting or not. They commenced leaving tolerably late in the evening. I saw several vote more than once. Sometimes a man would go up and vote, and then go back and change his hat or coat, and sometimes both, and then go up and vote again. They would halloo out a different name every time. I saw some of them vote as many as eight or nine times, and one man might have voted a dozen times. Some three or four men were pursuing this course of voting. I was standing close by where

I could see. I don't recollect as I sat or laid down all day. These men, in the evening after they got through, said they had voted up all their tickets and they would go home. The acquaintances whose names I have given did not belong to this party, but belonged just across the river. The large party made an arrangement in the evening, right there at the store-door, where they would cross the Missouri river. Some of them I saw cross at Doniphan, and some were to cross at Atchison, and some were to come to Weston, they said. Those who were to cross at Atchison left that evening and went down along the river. I don't know that I have ever seen any of those men since. If they had been settlers in the country about there I should have thought I would have known them. If they had been back of Doniphan, they would have come in from the west a different road from the one they did come. I was in Atchison the next summer after the election. I know that a protest was got up against the election, and I signed it. I do not know of my own knowledge why it was not presented. Dr. Stringfellow was there. I do not remember of seeing Mr. Foreman there, the candidate for Council.

Cross-examined by Governor King:

I said there were three or four men engaged in double-voting. They would stand right there and do it in the crowd; sometimes they would change their hats and sometimes their coats, and sometimes both. I do not know that any person else saw it; but if they had been looking at them they might have seen it. Sometimes these men changed their hats and coats with men who did not double-vote. They had as many arms as they could well carry; some of them had their pockets full of pistols. I don't know what was in the trunks. When the judges were selected, I may have been sitting round about the house somewhere. I saw no line formed for tellers to elect judges. I started from home about the same time the Missourians did to go to the polls, but some of them beat me there. Parris Dunning was one of the original judges. If a line had been formed to elect judges by tellers, I think I should have seen it. I did not see any judges elected, and don't know how they got elected. It is customary for people here to carry arms. I had very little acquaintance at Atchison. I know nothing at all about where those men came from, except what they told me. I saw Dr. Stringfellow there from Atchison, and perhaps one or two more that I knew from the same place. John Hunter was one of them, I think. Doniphan was the only place for voting by the people of Atchison, and down as far as Walnut creek. There was a newspaper published at Atchison at the time, and some seven or eight houses there. I never heard that there were a hundred or a hundred and fifty voters down there, or anything of the kind. I have heard that there was a right smart of voters down there—others than the company of two hundred. I saw men coming as men usually do at elections, and I recognised some of them as settlers, and some of them I did not know. Part of the wagons were driven up in front of the store that day. I don't know whether all of them were or not. I don't know whether they put their arms in their wagons

or not. They put their shot-guns and rifles under the house, and filled the space up between the ground and sills of the house. There were no political fights or disturbances there that day. I don't know but what the settlers all voted.

To Mr. Sherman :

I think the free-State men had the majority of actual settlers in the Doniphan precinct at the time of that election. If there had been no voting except by the actual settlers, the free-State men would have carried the day. Mr. Foreman had no opposition at that election. My information relative to the political complexion of the precinct is based upon what I have heard others say.

To Governor King :

I have heard people say that the actual settlers would have no chance with the Missourians. I have heard them talking about the strength of parties. I may have heard pro-slavery men say that they had two to one against the free-State men of actual settlers, and I have heard free-State men say that they had ten to one against the pro-slavery party.

his
RICHARD + TUCK.
mark.

LEAVENWORTH CITY, K. T., *May* 26, 1856.

ELI HAMILTON called and sworn.

I came into the Territory on the 29th of May, 1854, and settled in the Doniphan precinct, 14th district. At the time of the election of the 30th of March, 1855, I was clerking for Mr. John W. Foreman, then a candidate for the council. The election was held at Mr. Foreman's store-house. Mr. Tschudy and Parris Dunning were the only two judges of election I knew appointed by the governor. They did not serve; but one of them (Tschudy) was there, and I don't know why he did not serve. The judges were then selected by the bystanders. The new judges were Mr. Ireland, Mr. Alexander Dunning, and Mr. Lamb. Mr. Tschudy brought the poll-books to the store and left them, and the new judges got them. I did not recollect of seeing either of the new judges sworn. I do not recollect of seeing anybody sworn that day. My opinion is that some two or three hundred were around the polls through the day. I did not know them generally. They were strangers to me. I was not much acquainted in the district. I had been in the store, off and on, ever since I was in the Territory, as clerk, and was working for Mr. Foreman nearly all the time. I do not know whether many of these persons were or were not residents of the Territory. I was there until the polls closed. There was a large crowd at the window voting most

all the time. I saw one man challenged. His name was Hall, I think, and he lived in the Territory. He was not old enough to vote. That was the only challenge I recollect of now. I was there when the votes were counted out after the election was over. The tally-list and the ballots did not agree. There was a difference of between five and fifteen, the precise number I cannot say. The number of tickets were greater than the names. I saw one of the judges raise his hand from the tickets and put it in his bosom. I saw no tickets in his hand; it was half closed. This was Judge Lamb. I think they then made the tally-list and ballots correspond. I have since examined the poll-list, and find upon it some six names of men who I believe to have resided in Missouri. Their names are W. H. Hinchman, John Martin, William Dunning, R. Smith, B. G. Wells, and W. C. Wells. I moved into the Territory from St. Joseph, and came there from Athens, Missouri. I was born in Indiana and raised in Illinois. I have taken no part in politics. I voted that day for John W. Foreman, Dr. Stringfellow, and Dr. Cutler. The men I saw at the polls were generally armed with guns and pistols. I saw a great many pistols. They came very early in the morning. I saw them go back the way they came, down towards Atchison. I saw some crossing the river to Missouri. They were generally strangers to me. I do not know but what they were legal voters, except those I have named. There was a good deal of noise and confusion there that day. There was a good deal more cursing and swearing at the election than I have been accustomed to hearing. There was some fighting about personal difficulties, not political.

Cross-examined by Governor King :

Smith was there at Doniphan, building a house, about the time of the election, and keeping a grocery in Doniphan. His family was in Missouri, and he ate and slept in that State. Previous to the election I sold Hinchman a claim, and was at the time putting up a house for him on it, and he boarded with me. Hinchman has since moved into the house, and is now living in it. He staid at my house two weeks. He moved his family into the house a year ago this spring.

ELI HAMILTON.

LEAVENWORTH CITY, K. T., May 26, 1856.

JOHN LANDIS called and sworn :

the Committee :

I moved into the Territory in December, 1854, and into the Doniphan precinct, fourteenth district, and have resided there ever since. I came from Buchanan county, Missouri. At the time of the first election for delegate to Congress, I resided in Missouri. I was in St. Joseph the day before that election, and also on the day of the election. I was solicited there by some of my friends to go over into

Kansas and vote. The inducements held out was to make Kansas a slave State. I did not go. I knew a number crossed the river. They said they were going over to vote. I saw them when they returned. I had a conversation with one of them by the name of Andrew Dysert, and he told me they had carried the election. Mr. Dysert, James Carson, Johnson Carson, William Carson, Colby Gordon, Harding Gordon, and Samuel Gordon severally told me they were over the day before, and the morning of the election; that they were going over to vote. I went as far as St. Joseph with them, and after their return from the Territory, went home with them. Quite a number accompanied them whose names I did not know, perhaps 15 or 20. They were from the very neighborhood where I lived, which is six miles from St. Joseph. I have examined the poll-books of that election, and have seen the names of several on there that I am acquainted with.

Cross-examined by Governor King :

I suppose I could give the names of all that went if I could think awhile. I don't know that any of them voted. I see the following names on the poll-lists of my neighbors living in Missouri: Colby Gordon, George Catlett, Charles Carson, Andrew Dysert, James Carson, Johnson Carson. Those are all I recollect at present. I refused to go over and vote. I have no idea how many crossed the river that day, and don't know what they went for, except what they told me.

JOHN LANDIS.

LEAVENWORTH CITY, K. T., *May 26, 1856.*

JAMES F. FOREMAN was called and sworn.

At the time of the March election I resided in the Doniphan precinct, fourteenth district, and was present at the 30th of March election. I was present when the votes were being counted up, after the closing of the polls. There was a discrepancy between the poll-list and ballots of one vote. The judges explained it in a manner satisfactory to all. If there had been a discrepancy of from five to fifteen votes between the tally-list and ballots, I think I should have noticed it, for there would have been some questioning about it, but I heard nothing and saw nothing of the kind.

To Mr. Sherman :

I feel almost positive there was a difference of only one vote between the tally-list and ballots cast. The only reasons why I think there was not more is, that it would have excited attention.

JAMES F. FOREMAN.

LEAVENWORTH CITY, K. T., *May 27, 1856.*

LUTHER DICKERSON called and sworn.

I came into the Territory in October, 1854. I came from Saline county, Missouri, and settled in the Doniphan precinct, 14th election district. I was present at the election of the 30th of March, 1855. I saw a company of strangers passing my house, three-quarters of a mile south of Independence creek and three miles north of Atchison. It was between three o'clock and sundown on the day before the election. The company were in wagons, on horseback, and some of them on foot. I did not count them; I should say safely that there were one hundred. I did not count the wagons. I talked with them late at the creek after they encamped; I went down into the camp. They told me they came here to vote. They told me they came from Missouri; they said they were from Platte, Clay, Saline, and Lafayette counties; they said there was a large emigration from the east coming to the Territory to vote, and they wanted to balance their vote, and outvote them. I did not hear one of them claim to be a resident of the Territory. I did not know those men personally. I had a conversation with one man who said he lived in Saline county. He knew my acquaintances there. I do not remember his name. He said nothing to me about how they were organized. They had their provisions with them and arms; some of them shot-guns, pistols, and some few I saw with bowie-knives. I think pretty near every man had revolvers; they were trying their weapons at the trees. I don't think I heard them say that they would make any disturbance if they were resisted. They said if the damned fanatics of the north came there to vote they would have to have a fight before they voted. I understood them to allude to men who were coming up the river to vote. I left them there that night and went home. I saw them about eleven o'clock the next day. A portion of them were at the camp, a portion were along the road, and a portion at the polls. I went on up to the polls and voted. I saw a portion of these strangers vote. They were constantly running back and forward to their camp. Sometimes new persons were coming up to the polls and sometimes the same. I saw a portion of their arms lying under the sill of the house in which the election was held. These were their heavy arms. I did not see any double voting that day. I heard no objection made to any of these men voting. The judges did not swear any of these men while I was at the polls. I don't think all the settlers voted. I don't know why. I never heard that Missourians were coming over to vote until I saw them coming. I did not see any eastern emigrants arrive. So far as I know, these strangers voted. I am acquainted about Atchison. I am tolerably well acquainted between the two creeks—Walnut and Independence. These strangers were not settlers in that region of country. In coming up from Weston to Doniphan the usual crossing place is Atchison. They told me they crossed at Atchison. Those who would come from Saline and Lafayette counties would cross the river twice. I am pretty well acquainted in the middle, eastern, and southern parts of that precinct, but not so well acquainted in the ex-

treme southern parts. The usual mode of making acquaintances in the Territory is by helping each other by building, &c., and the settlers generally become acquainted with each other as I did. I think the political sentiment in Doniphan precinct was about equally divided. I could not give an opinion, satisfactory to myself, which would have had a majority at that election if there had been a fair contest, and none but actual settlers had voted. These strangers returned the same way they came. I have never seen them since. They said they voted the pro-slavery ticket.

Cross-examined by Governor King :

I don't know when they crossed the river from Missouri. They said they came over the day before they came along there. The citizens about Atchison came to the polls the day of election. I did not know all the citizens of Atchison at that time, but I knew them nearly all. Some of these strangers in the company may have been citizens of Atchison, but if so I did not know them.

To Mr. Sherman :

I voted that day for Mr. Cutler alone.

LUTHER DICKERSON.

LEAVENWORTH CITY, K. T., *May* 26, 1856.

JOSEPH W. BEATTIE called and sworn.

I came into the Territory in August, 1854, from Missouri, Buchanan county; I settled in the Doniphan precinct, and have been there ever since. There was a party of men encamped near me on the evening of the 29th of March, the day before election; the camp was near my home, at the crossing of Independence creek, by the Doniphan road. I suppose there was somewhere near a hundred of these strangers; there were sixteen two-horse wagon loads, and some on horseback. They applied to me to ferry them across, and I did so; they had tents and provisions along with them; they were armed. I asked them where they were from, and they said they were from Missouri; I asked them where they were going, and they said they were going to Doniphan; they said they were going there to vote. They remained there all night, and next morning went up to Doniphan. I went up also after they did. I did not see any of them vote, as I did not go to the polls until towards evening, when nobody was around the polls. They poked their guns under the sill of the building where they voted. After the polls were closed they came back to my house, crossed the creek, and went back to Atchison. I am not much acquainted about Atchison. These men told me they crossed the river at Atchison.

Cross-examined by Governor King :

I knew Mr. Cutler and Mr. Sanders; I do not hardly think they

could command the full strength of their party. I don't know whether Dr. Stringfellow and Mr. Kirk would command the strength of their party or not. I don't know either of the men now.

JOSEPH W. BEATTIE.

LEAVENWORTH CITY, K. T., *May* 26, 1856.

JAMES LYNCH called and sworn.

To Governor King :

I landed in St. Joseph on the 13th of March, 1855, and reached the Doniphan precinct on the 14th of March, and have been residing there ever since. I was at the election on the 30th of March, and present every hour in the day ; I saw the voting going on ; there was no political quarrel or excitement going on. I did not know any Missourians there except Major O'Driscall ; I took them all to be actual residents, as I was myself. I heard nothing about the Missourians being there to take the polls. I voted myself on that day ; I saw no one prohibited there from voting. The order and quietness at the election was better than I had been in the habit of witnessing in Kentucky, where I have been residing.

To Mr. Sherman :

I did not see any arms under the sill of the building where the election was held.

JAMES LYNCH.

LEAVENWORTH CITY, K. T., *May* 26, 1856.

DANA FIZER called and sworn.

I came into the Territory in August, 1854, from Missouri—from Buchanan county, Missouri—and have resided here ever since. I settled on the Doniphan precinct, fourteenth district. I was at the election of the 30th of March, 1855. The day before the election, about sundown, about one hundred men or upwards encamped near my house ; they came in wagons, some on horseback, and some came a-foot ; this was one mile from the polls ; they were armed, from double-barrelled shot-guns down to butcher-knives—all of them had more or less of arms ; I did not see a man but what had arms ; the fact is, I was astonished to see it. I might as well tell the thing just as it was : my attention was first called to them when they were about half a mile off from my house, when I saw the wagons ; I then went down to where they had encamped, and near enough to see them stretching their tents. I did not know any of them—they came from towards

Atchison. I had some conversation with a young man that evening, and next morning I had a right smart chance with him. They broke up their camp about 9 or 10 o'clock next morning, and as I went to the polls at Doniphan some were ahead and some were behind me. I had some conversation that morning with a young man—I do not remember his name; he said he was the cook of the party. He asked me if I knew any person in the neighborhood who wished to hire a hand; I told him I expected he could get work in the neighborhood. I asked him if he lived in the Territory; he said he did not. I asked him where he was from; and he told me he was from Missouri. I asked him if they were all from Missouri; and he said they were. I asked him if he voted; and he told me he did. I had no talk with any other as to their purposes in coming. I went to the polls and voted. The same men that I had seen in the camp were there; they went as I did, and put into the ballot-box a little piece of paper. I staid until I saw fifteen or twenty of these men vote, and then not feeling well I went off and sat down. I was at the polls some fifteen or twenty minutes; there was a pretty smart crowd around the polls; there was a right smart show of settlers there, but the great body were strangers to me; no objection was made to their men voting. I don't know whether they claimed to vote in the Territory or not. Some three or four of the free-State men that I knew went off, and told me they would not vote; I do not know that they were hindered, but they said that there were so many Missourians there that there was no use in their voting. A man by the name of Eph. Falcull and a Mr. Page said they would not vote; I don't know whether they voted or not. I got home the after part of the day; I went into a doctor's shop most part of the time. Some of them crossed Independence creek that evening, and some left the next morning. I saw some of the men at the creek returning; they had their provisions with them. I helped one wagon through the mire going up hill; I looked into it, and saw bacon, bread, and cooked provisions; they did not look to me like settlers coming over to settle; I never saw the like of them, all armed so, and cutting up. They were all pretty well—as we would call it—pretty well corned, and were noisy and boisterous. I have never seen any of them since—I have never seen any of these men before nor since; if they had been settlers about Atchison I think I would have known them; I live within about three miles of Atchison and $2\frac{1}{2}$ miles from Doniphan, and am some acquainted in both places, but better in Doniphan than Atchison; my trading is usually done in Doniphan. I was in Atchison at the time of the sale of lots there, but I can't say when it was.

Cross-examined by Governor King:

I know nothing about where they came from, only what the young man told me. The road they came was the one leading from Atchison to Doniphan. It is usual for new settlers to camp out, but I never saw them in such large squads; settlers generally bring women and babies. Parties of men frequently come to seek claims in numbers of seven or eight; it is usual for parties of men to come into the Territory to make their claims. I was not acquainted with the in-

habitants about Atchison; I believe at that time I knew two below Atchison; I knew two or three men in Atchison, at which place a newspaper was published. I cannot say I understood that there was a considerable number of inhabitants below Atchison.

To Mr. Sherman:

Persons crossing the river from Missouri, from Weston and below, cross at Atchison, and come up on this side of the river.

DANA FIZER.

LEAVENWORTH CITY, K. T., *May* 26, 1856.

R. L. KIRK called and sworn.

To Mr. Oliver:

I resided, on the 30th of March, 1855, in the 11th representative district; the pro-slavery party had, in my opinion, a majority of three to one. The 11th representative district was composed of the 18th and parts of the 14th and 15th election districts.

Cross-examined by Mr. Howard:

The whole of the eighteenth election district; election held at W. W. Moore's; the Doniphan and Wolf River precincts of the 14th election district, election of the Wolf River precinct being held at the house of Aaron Lewis; parties of the voters of the 15th district were attached to the Doniphan precinct, and voted then at Doniphan. These together formed the 11th representative district. My acquaintance was pretty thorough in the 11th district. I knew, I think, two-thirds of the voters there. I think some 60 odd votes were pulled in the 18th district. I think there were some 150 to 200 voters from the 15th district who were obliged to vote at Doniphan, the people of the town of Atchison being obliged to go there. I do not recollect how many votes were polled at Doniphan. I think some 60 or 65 votes were polled at Wolf River precinct. My opinion of the relative strength of the parties is based on the district as above described.

R. L. KIRK.

LEAVENWORTH, K. T., *May* 31, 1856.

Dr. JOHN H. STRINGFELLOW was called and sworn.

I reside in Atchison, Atchison county, Kansas Territory. I moved to Atchison in July, 1854, and I took my family there in the fall of the same year, and have resided there ever since. The district was changed at the 30th of March election from the district of the fall before, according to which the census was taken in February, when the snow was probably fifteen inches on the ground. Most of our citizens were emigrants from the adjoining counties in Missouri, having left friends and comfortable quarters in Missouri. A large

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number of our citizens, about the time the census was taken, were absent from their open cabins, temporarily, by visiting their friends in Missouri. The consequence was, that a large number of our citizens were omitted from the census returns. Knowing this fact, we had the census taken by some of our citizens, which showed a gain of about one hundred and fifty voters over the census taken by Jolly, which when represented to Gov. Reeder induced him to append to the census returns made by Jolly upwards of fifty votes. The rest were rejected, because the persons so taking the census would not swear that the persons thus rejected were on their claims at the time. After the census returns were made, the districts were re-arranged; so that the old district, the census of which Jolly took, was divided, part in the Doniphan district and part in the Kickapoo district. The list of voters furnished by Governor Reeder to the judges of the Doniphan precinct, purporting to be a correct list of all the persons entitled to vote at that precinct, did not contain the name of any person south of Independence creek, which said portion of territory thus omitted contained at least from two hundred and fifty to three hundred actual voters. This portion of the district thus omitted embraced the town of Atchison, being a breadth of ten miles north and south on the Missouri river, and running back some fifteen or twenty miles. The consequence was that a much larger vote was polled at the Doniphan precinct than would have been supposed from the list of voters furnished to justices by the governor, as taken from the census returns taken by Jolly.

I was in the town of Doniphan the day after the election; there were about three hundred votes polled; there was no disturbance of any kind resulting from the election. I was one of the candidates for the House of Representatives of the Territory of Kansas. There was no effort made to prevent any man from voting because of his political sentiments; on the contrary, urged upon Mr. Sanders, the free State candidate, to bring up all his friends and they should not be molested. He brought to the polls a number of free-State men, and some of them came from Buchanan county, Missouri. The last vote, I think, that he brought was a boy about seventeen years old; upon being questioned by the judges, he admitted that he was not twenty-one years old, and he was the only person presented by Mr. Sanders, who did not vote. Mr. Sanders owned the ferry at Doniphan, and his voters who crossed the river were known to be free-State men in Missouri. They claimed, however, to have claims in the Territory; but their families were living in Missouri, and were allowed to vote. I knew a good many of the gentlemen who voted there to have formerly resided in Missouri; but a great many, if not all, had made claims in the Territory, and many of them are now on those claims with their families. From all the information derived from my personal knowledge of the Doniphan district, and from the various elections held in said district, I am disposed to think that four-fifths of them who have ever voted, have voted the pro-slavery ticket. At that election I received some free-State votes myself. The day after the election I started down to the Shawnee Mission in company with a good many other members elect of the legislature for the purpose of

protesting against the power claimed by Governor Reeder in his election proclamation, to decide contested elections.

A committee was appointed to prepare a protest assigning our reasons for this denial. A committee of three was then appointed to wait upon the governor, and present him the protest. The committee consisted of Gen. Wm. P. Richardson, Samuel Williams, and myself. We denied, in our interview with the governor, that he had any power to decide as to contested elections, and contended that that power was with the legislative body; and that the presentation of the returns of the election formally made, were *prima facie* evidence of the right of members to their seats; and to these propositions the governor assented. We further contended, in our interview with him, that he had no right to order a second election, except in cases provided by the organic act. To this last proposition the governor read us a communication addressed to the Attorney General of the United States, asking his advice as to all the matters in controversy between the legislature elect and himself; asserting that if sustained in his opinion by the Attorney General, he would order new elections in those districts where the returns were informally made. But if not sustained, then he would grant certificates to those persons who had received the largest number of votes, or who had been returned as elected. During all this conversation there was no threat of any kind made against Governor Reeder, and no angry words used; but, on the contrary, Governor Reeder was treated with the utmost respect due to his station, and to the last day upon which I met him we were on amicable terms. We made our report to the members elect of the legislature; and I assured them that the governor's decision would be all we could require of him, as I was satisfied that he would grant certificates of election to a majority of each house, and recognise in that house their right to go behind his decision and investigate the entire matter. On the next day Governor Reeder made his decision known in writing to the members present, which was assented to by them, as it agreed with the assurance the committee made them on the day before. And on this last occasion no insults were offered to Governor Reeder, and no demonstration was made by him of anything like personal difficulty; the whole affair went off, so far as I could see, in the most amicable and friendly manner.

There was quite a large number of citizens of Missouri present on the day of election, who were drawn there from the reports which had reach us that large numbers of persons would be thrown in upon us from the free States for the purpose of controlling the election. The determination of the Missourians present was, to resist by all means this operation of free-State men upon us; to prevent by mild means, if possible, this forcible control of our internal affairs, or by force if necessary.

I have been controlling a paper ever since February, 1855, and I have never urged any but *bona fide* settlers to emigrate to this Territory, either for the purpose of voting or for any other purpose.

There were numbers of Missourians at the polls on the 30th of March, pro-slavery men, who did not vote, and were not solicited to vote. I don't know that any citizen of Missouri voted; but some

may have done it, and I not know it. The result of the election would in no manner have been changed, had the Missourians voted or not voted.

To Mr. Sherman :

I never saw a circular purporting to be from General Stringfellow or any circular circulated on the day of election, advising Missourians to vote at that precinct. There was no such circular published at my office. I saw at my office one copy of a paper purporting to be a review of Governor Reeder's proclamation, which spoke of the manner of conducting the election, and the returns thereof; and I think that portion of his proclamation ordering the judges of election to destroy any whiskey that might be on the ground for sale. I don't know, but I do not believe that General Stringfellow wrote the paper referred to.

JOHN H. STRINGFELLOW.

LEAVENWORTH CITY, K. T., *May* 27, 1856.

^{is} HENRY ADDOMS called and sworn.

To Governor King :

I first came into the Territory in 1847, and have been here since the organization of the Territory, and reside at Atchison. So far as I have heard the testimony of Dr. Stringfellow and J. W. Foreman, I concur in it relative to the several elections in the Doniphan precinct. I was born and raised in the city of New York, and in 1838 came to Platte county, Missouri. I know of the first excitement in Weston, Missouri, in relation to the settlement of Kansas Territory; which was the report of the Emigrant Aid Societies which had been formed for the purpose of throwing vast quantities of men into this Territory for the purpose of making it a free State. The report was that there were to be twenty thousand men sent forward, and the Emigrant Aid Society was formed by the principal abolitionists, who had been agitating the United States for some years to make Kansas a free State, and thereby to make it an entering-wedge for the making of Missouri a free State; which was believed by the people when they first saw the companies coming on from the east.

The object of forming organizations in Missouri, was to bring persons living in that State over into the Territory who designed to emigrate, and to counteract the movements of the aid societies. And I believe, but for the eastern movements, there never would have been any more excitement in the Territory than is ordinary in settling new Territories.

HENRY ADDOMS.

LEAVENWORTH CITY, K. T., *May* 28, 1856.

FOURTEENTH DISTRICT—*Wolf River Precinct.*

Dr. G. A. CUTLER called and sworn.

I came into the Territory in February, 1854. I settled in the fourteenth district. I came from Andrew county, Missouri, here, and from Tennessee to Missouri. I resided in the fourteenth district until the 4th or 5th of March, 1856, and then removed to Topeka. I was among the first settlers in the fourteenth district, and practised medicine there for fourteen or fifteen months. I knew most every person in the Doniphan portion of the district, but did not in Wolf River and California, or what was subsequently made into the eighteenth district.

The day previous to the election of the 30th of March, 1855, at the Presbyterian mission, in the Wolf River precinct, commonly known as the Vandersluyce, on the morning of that day a large body of men came in in wagons, &c.; they themselves said 80 persons in number. There was considerable whiskey demolished there. They were all armed to the teeth. I did not know any of them. While there, they held a convention to unite on two men for the assembly. This crowd was under the command of General Atchison. The pro-slavery citizens there wished to have Mr. Thomas Vandersluyce and Joel Ryans; and Atchison's company wanted Stringfellow and Kirk elected. They could not agree very well. A man got up and made a speech, and, as near as I can recollect his words, he said: "Gentlemen, we want to unite on one ticket. There are 1,100 coming over from Platte county, and if that ain't enough we can send you 5,000 more. We came to vote, and we are going to vote, or kill every God-damned abolitionist in the district." I think he said "district;" but it was "district" or "territory." I asked a man nigh to me, a stranger, who that was, and he said it was old Davy Atchison. I never saw Mr. Atchison before or since. The Missourians succeeded in uniting on Stringfellow and Kirk. The majority of that party started up to what we called California or Nemaha, or in the eighteenth district, which I understood was afterwards put with the fourteenth district for council. Some of this party remained. The next day the election commenced at Wolf river in very good order, and everything went on right for about two hours. The ice was running in the Missouri river, and none could get across till ten or eleven o'clock. Finally, a crowd of men came from Missouri, and came into the house where the election was being held, stepped up to the ballot-box, and one of them offered to vote. His name was Felix Blakely. He was a resident of Missouri, and made the town of Atchison his home. Mr. Richardson—I do not know his first name—one of the judges of the election, spoke to him and said: "Mr. Blakely, you are a resident of Missouri, and have no right to vote in Kansas, and I cannot take your vote." Blakely told him that he was as much a resident in Kansas as he was, and that he had come there to vote, and would vote. Mr. Richardson still persisted in refusing to let him vote, and told him he had to take the oath as a judge, and he would not perjure himself.

There was a great deal of disturbance ; Mr. Richardson was threatened considerably ; they threatened to whip him if he would come out of doors, and wanted to do it in where he was, and he finally resigned. As soon as he resigned they elected in his place a man by the name of Mr. Wilson, a pro-slavery man, but I don't recollect his first name. After that they took all the votes that were offered. I went out, and advised my friends to go home, as there was no use in staying here, which a number of them did. I was a candidate for the assembly. I started home, and on my way there I overtook a wagon load of men going back. I asked them where they were from : they said they were from Platte county, Missouri. I conversed with one of them, and he told me that he had voted, and a number of his friends had also voted ; that he did not live in Kansas, and never expected to. He said he had not violated the organic law ; that Atchison had helped to make the bill, and had told them they had a right to vote, and he knew a God-damned sight better than I did. I had his name on a slip of paper, but have lost it. I had a conversation with Mr. Thos. J. B. Cooper, judge of the election of the Nemaha district—the eighth district.

[Mr. Rees objected to the detail of this conversation, as being evidence.

Mr. Reeder stated he expected to prove that Mr. Cooper participated with a large number of Missourians in their illegal voting ; was elected by them as a judge of the election, and served.

The committee overruled the objection and allowed the evidence, with the distinct understanding that the declarations of Cooper will be excluded and erased, unless he is distinctly connected with the alleged combination. From which Mr. Oliver dissented.]

Witness resumed : He said that the election was not conducted fairly in that district, but excused it on the ground that the Missourians had as much right to vote as the pauper emigrants from Massachusetts. He said that there were about eighteen resident votes given, of which all but two or three voted for me. He said it was his firm belief that there were not forty legal voters in the district. The eighteenth district lies about sixty miles west of the Missouri river, and runs to the Nebraska line—the voting place being about six miles from the line. There is a large prairie, forty miles wide, to cross before getting to the voting place. I am confident that there never was, up to that time, in the fourteenth and eighteenth districts, an emigrant sent out by the Emigrant Aid Society, because I had made diligent inquiries all over the districts. The principal part, I suppose some four-fifths, of the emigrants there, were from Missouri. I voted before these strangers came to Wolf river, but required them to swear me before I would vote.

I did not continue to canvass as a candidate, and advised my friends to refrain from voting, because I saw citizens of a neighboring State coming over in sufficient numbers to control the election. I heard a great many threats in regard to contesting that election. Major General Richardson said, in a crowd in Doniphan, that myself and office should be thrown into the Missouri river if I contested the election or sent a protest against it. We all believed that if a second election

was held it would be a bloody one. I afterwards heard threats against the governor of the Territory—that if he failed to sign the certificates he should not live two hours. I heard these threats in Doniphan and in Missouri. I also received an anonymous letter, stating that if I contested the election I should be put out of my misery, or something to that effect. These threats were frequent.

I have examined the poll-list of Doniphan for the 30th of March, 1855. I find on that list about fifty-five names that live there now; but a number of those have come over since, I think. I cannot tell how many of the fifty-five have come since. I think some eight or ten, I can be positive, have come over since, but there are others I cannot be positive about. These Missourians professed to come from Platte county, in which county I am not acquainted. I find on the poll-lists some names of those who live in Missouri, right opposite, as follows: J. Christopher, B. G. Wells, William Christopher, W. C. Wells; Mr. Norris, whose first name I do not recollect; Mr. Fenton, who keeps store in Rushville, Missouri; W. Duning, B. O. Driscoll; Dr. Brown—I think his name is A. Brown; a Mr. Mobley, a miller in Rushville. I find the names of three boys on the poll-list—John Thomas, Wm. Smith, and Ely Ward.

To Mr. Rees:

I saw no violence offered to any voter, except doubling up of fists, &c.; no blows struck. Everybody voted after Richardson resigned that wanted to, so far as I know, until I left, which was a few minutes afterward. A few of Mr. Achison's party stopped at Wolf river—a half a dozen or more—for I went back with a wagon load.

Question. You speak of Missourians voting; do you know they were citizens of that State at that time?

Answer. Those of Doniphan precinct I know to be residents of Missouri. Those at Wolf River precinct told me they were.

Question. Do you know that the same names you have spoken of were the same persons you knew in Missouri?

Answer. Yes, sir; I may be mistaken in two of them, Mr. Fenton and Mr. Norris, whose first names I do not know, but I think I am not mistaken.

Question. Did you not propose to run on the pro-slavery ticket, in that district, as a candidate for the legislature?

Answer. No; being from the South, when I first came to Kansas I took no political grounds. In a conversation on the subject with John W. Foreman, I told him I was not ultra in my views, and gave him to understand that I was a free-State man, but not ultra in those opinions, which I was not.

Question. Did you not state, after you were a candidate, that you were fooling the free-State party, and that you were all sound?

Answer. No, sir; I did not.

Question by Mr. Reeder. Was the name of the judge of the 18th district Cooper, or Cramer?

Answer. I find the name of the judge of the Doniphan district on my memorandum a Thomas J. B. Cooper. Upon hearing the name mentioned I am positive his name was Cramer. I wrote it, I think,

on my memorandum through mistake as Cooper, and have never thought of it since. He told me he was judge of election for the 18th district; was a pro-slavery man, and was taking the returns to the governor. At the time I had this conversation I was not acquainted with Mr. Cramer, and put down the name at the time on my memorandum-book as Cooper, and have not looked at it since. Since then I became acquainted with Mr. Cramer in Benicia, at Dr. Brooks's, and am now positive that it is the same man I put down as Cooper.

GEO. A. CUTLER.

TECUMSEH, K. T., May 6, 1856.

JOHN W. FOREMAN called and sworn.

To Governor King:

I was a candidate for the office of councillor for the 7th council district, embracing the Doniphan and Wolf River precincts, and 18th district. I had no opposition that I ever heard of; I was a pro-slavery man, and known as such over the district. I attended the Wolf River precinct on the day of the election; I was well acquainted with every man who voted that day, except perhaps one or two. The judges were James M. Irving, E. V. Rogers, and William Richardson, all appointed by Governor Reeder. Richardson and Irving were known to be free-State men; Mr. Rogers was known to be a pro-slavery man. The election was conducted very quietly and orderly throughout the day. There were a number of gentlemen there—some five or six from Holt county, Missouri, which lay across the river—with whom I was acquainted. These neither voted nor attempted to vote that day, nor were there any illegal votes given that day, in my opinion, except two; these were James Williams and Charles Blakely. It was said that Mr. Williams was not a citizen of the United States, and had not filed his intention to become such; he voted, and was not challenged at the time; he was recognised as a free-soiler. Mr. Blakely's vote was challenged by Mr. Richardson, and he was sworn to answer questions; and upon his answering was admitted by two of the judges to vote, whereupon Mr. Richardson resigned. Mr. Wilson was appointed in his stead, after which but few votes more were taken that day.

There was a general attendance of the voters in the Wolf River precinct that day, and seventy-five or eighty votes cast, of which number the pro-slavery men got about sixty votes; the balance of the votes were given to free-State men.

I have examined, very slightly, the poll-book of the Doniphan precinct, and believe that a large majority of the names on the poll-book were then, and are now, residents of the Doniphan precinct. I noticed some on it that I believed were residents of Missouri and not entitled to vote—Major Rucker and Mr. Moberly were among them. There were a number of names on the poll-book with which I was not acquainted, and do not know whether they were legal voters or not, as I was not well acquainted in the Atchison part of the district. With

the exception of the neighborhood of Atchison and on the Nemaha, I knew nearly every man in the district.

The vote in the Wolf River precinct I consider a fair test of the strength of both parties; the pro-slavery ticket may have overrun its strength a little. Including the Atchison vote, I think there were fully two to one pro-slavery men in the Doniphan precinct.

I was postmaster of Doniphan, and got through the post office northern and other newspapers, by which we were led to expect that under the auspices of the Aid Societies of the east a very large emigration would be brought into the Territory prior to the election in March. I remember distinctly an article published, I think, in the New York Tribune, about the middle of March, in which it was stated that if the elections were held before the opening of navigation, the free-State men would be routed or beaten; but upon the opening of spring an avalanche of free men would be poured from the North into the Territory, and the slaveocrats would be routed. I recollect distinctly that I was excited, as were my neighbors, by the obvious efforts of the North to abolitionize Kansas. I was an old settler in the Territory and a slaveholder in a small way, and I saw no reason why I and my neighbors should be expatriated, while the fanatics of the North were to occupy my place. The excitement was general on both sides of the river.

To Mr. Sherman :

I was not on the 30th of March a resident of the Wolf River precinct, but I was a resident of the Doniphan precinct.

JOHN W. FOREMAN.

LEAVENWORTH CITY, K. T., *May* 26, 1856.

JOHN LANDUS testifies :

I moved into Kansas Territory in December, 1854, into the Doniphan precinct, 14th district, from Buchanan county, Missouri. I was on the Nemaha one night about a week before the election of the 30th of March, and stopped at the house of Mr. Moore. Mr. John W. Foreman was there, who is now a member of the Council from the Doniphan district. We had some conversation relative to Mr. Kirk. Mr. Foreman stated to Mr. Moore that he expected, in a few days, that Mr. Kirk would emigrate into the 18th district. My understanding was, at that time, that they would run Dr. Stringfellow, from Doniphan, and Mr. Kirk, of the Nemaha, as representatives, and Mr. Foreman as councilman. I met Gen. Atchison on Wolf river the Monday before the election, which was held on Friday. There were six to twelve wagons in his party, containing six or eight in each wagon. Some were on horseback. I knew Gen. Atchison, and he was the only one of the party I did know. I met him as he was going to the crossing of Wolf river, and told him that he would have to turn back and take the other road, because the bridge had washed away. He turned back, and we rode half or three quarters of a mile

together. He asked me several questions about the Nemaha country. He wanted to know whether I was acquainted there or not. I told him I had been up there and learned what sort of men they were. He asked what sort of people they were, and I told him they were principally Pennsylvania Dutch. He made no reply, but some of his men spoke up and said they were abolitionists, and they would rout them. I was at the election of the 30th March at Doniphan. I went down there about 10 o'clock. When I came in sight, there were between 200 and 300 men there, probably, electing their judges by forming a line and taking the vote by tellers. They elected a man by the name of Lamb, and Ireland and Alexander Dunning, and then proceeded to receiving votes. The great body of those there were strangers to me. I knew a few of them. I knew B. G. Wells and another Wells. They resided in Missouri, across the river from Doniphan, and they were the only ones I knew, except those who resided in the Territory. I had no conversation with them. I did not see the two Wells vote. I voted myself that day. I remained at the polls until late in the evening. I was a candidate for representative myself that day on the free-State ticket. I had taken some means to canvass that district. At that time there were about 200 actual settlers there; of that number about 50 or 60 resided in Doniphan precinct. The Atchison precinct was attached to the Doniphan at that time, and contained more voters than the Doniphan precinct. My opinion is that the majority of actual settlers in my district are "free-State men," if the vote had been confined to the legal resident voters. I did not think the body of men I saw there that day were residents of the Territory. I did not know them as such. I saw some 25 or 50 of them returning after the election, going across the river to Missouri. I do not know that these men voted.

I saw one of the judges beckon to a man, who was a stranger to me, and he came up to the polls, and I heard either Judge Ireland or Lamb say to him, that all he had to do was to say that he was a citizen, and he could vote. The man made no reply, but handed in his ticket. He was asked if he was a citizen, and answered that he was. He was a stranger to me, and I don't know whether he was a citizen or not, nor do I know but the judge knew him to be a legal voter.

I took measures to contest this election. Dr. Cutler and myself got up a petition that evening and got signers to it. It was agreed between us that he was to go down to the governor and attend to the matter himself. Then I returned home, supposing he would attend to it. I came down a few days afterwards, and he told me why he had not pursued the contest. No threats were made, that I heard myself, about the contest.

Cross-examined by Governor King:

From information I got, there were from 40 to 60 voters on the ground. I knew none of them, except Moore and Baker. I do not know that the 200 or 300 men I saw at the polls were not citizens of the Territory. I knew but two men in the Atchison part of the district at that time. I don't know, from my personal knowledge, that

any of the votes given in the Doniphan district that day were not legal, for I don't know their residence. I did not know but one of the judges personally, but presume they all lived in the district. I saw no person prevented from voting that day. There were, according to the census, 247 legal voters at the time of taking the census, in February, 1855, in the 14th representative district. My opinion is, that the increase of population between the census and the election was about one-fifth. My means of information on that subject was by inquiry and by canvassing the district, except the Atchison district. I know nothing of the increase of population in the Atchison district.

By Mr. Sherman :

I believe I have looked over the poll-book of that district, and find upon it the names of three persons I know to live in Missouri. Their names are William Dunning, B. G. Wells, and his brother. The other names on the list are generally strangers to me. The free-State men did not generally vote that day. Some eight or ten of them met there, and were there when I came, and declined voting. I persuaded some few of them to vote. They said there was no use in voting, as they were overpowered by the Missourians, and it would have no effect. As far as I can judge, about ten or twelve of the free-State party voted that day; but there were a great many free-State men in the district I did not know, and whether they were there or not I do not know. I heard no general rumor prevailing that Missourians were coming over to vote. I only heard one man say so. This conversation occurred in this way: I was arguing that we had a majority of free-State men in that one district. He observed that if we had, he would beat us by Missouri votes. At that time I had heard nothing of eastern emigrants. This was Saturday before the election. The man's name was Beeler with whom I had the conversation.

Cross-examined by Governor King :

All that I know about the free-State men not voting was what I got from Collins and others on the morning of the election while the voting was going on. I don't know whether these men voted afterwards or not. Collins was one of the men I induced to vote.

JOHN LANDUS.

LEAVENWORTH CITY, K. T., May 26, 1856.

FIFTEENTH DISTRICT—*At Hayes's.*

E. R. ZIMMERMAN called and sworn.

I came to the Territory in the beginning of December, 1854, from Reading, Pennsylvania, and settled at Kickapoo, and have resided there, or near there, ever since. This is the fifteenth district. I was at the election of the 30th of March, 1855, at Hayes's, about seven miles from Kickapoo, on the Fort Laramie road. I was one of the

judges of the election. I went there the afternoon before the election, and remained there all night. There were camp-fires all around there of persons who had come there in the afternoon. The next morning but one other judge, Jef. Thompson, appeared. Mr. Fisk, the other judge, did not make his appearance at all.

These strangers commenced crowding around the polls, and insisted upon having the polls opened. The residents left when the crowd came up. Mr. Thompson and myself agreed upon a man by the name of Bailey for the third judge, and also appointed two clerks, whose names I do not now recollect. I had considerable difficulty in getting the other judges to commence the election. They would go out and whisper to the crowd outside; both of the other judges were pro-slavery men. I finally told them there was no necessity for deferring the matter longer, and we should open the polls. We all agreed that it was not necessary to examine the votes much, and we agreed upon a short oath to be taken by the voters before they would be allowed to vote. The first man who came up, when the oath was put to him, answered, "I'm here." The other judges were at first inclined to take the ticket, but I would not agree to it; and then they told him he must swear he was an actual resident of the fifteenth district, or his vote would not be received. After some grumbling, he took the oath. A number would come up, and when the oath was put to them, would say they had a claim, or held a claim, or owned a claim, or was there, or something of that sort. But all who voted were obliged to take the oath. As they came up from their wagons they had hemp in their button-holes, and the pass-word that day was, "All right on the hemp." A greater portion of the time there were men stationed where the votes were received, and would examine the men as they came up, and would announce that they were "all right on the hemp." I do not recollect that a man voted that day but what had hemp in his button-hole, or on his hat, or some other place where it could be seen. I did not go out to see any of the delegations coming in, but I heard it announced that delegations were coming in, and I would hear cheers, &c. Speeches were generally made to them as they came in; but I did not go out to hear them. There was a great deal of drinking and swearing that day; cursing the abolitionists; and some intimated at the polls that I ought to be taken out, but none interfered with me further than by threats. There were no regular free-State candidates at that election. We had it in contemplation to nominate a free-State ticket; but, upon hearing that the Missourians were to come over in such force, we abandoned it as useless, although I am confident that, at a fair election, we could have carried that district. At the polls I had a list of the regular voters as given in the census returns; and as a man gave his name, I would look on the list for it, and I found but very few names there of those who voted that day. This list has been destroyed by fire since then at Kickapoo, at the time of the invasion. Not finding any abolitionist to fight that day, having expressed a strong desire to find one to whip, they got fighting among themselves. I saw one old grey-headed man, about fifty-five or sixty years of age, and a boy about ten years of age by his side crying. The old man was all bloody, having been beaten. Those men there

were armed, and one of them brandished a pistol in the window before my face. The man was drunk, and put the pistol in the window, with pointing it at me, though he said he would like to kill an abolitionist.

I heard a good deal of talking among them, but do not recollect that I heard them say where they came from. I do not suppose one-fourth of the actual residents of the district voted. There were two pro-slavery tickets started; but on the morning of the day of election the ticket the Missourians were opposed to was withdrawn. Judge Freeland for council, and, I think, Kellogg for the lower house, were on the ticket withdrawn.

I heard it announced publicly where the delegations came from. Kellogg, when he withdrew his name, said he did not want to run when Missourians came over here to decide the elections. He was cheered, but I heard no reply made to him. He was a conservative pro-slavery man.

The reason the election was not contested, was because there was no one there to take the responsibility of doing so; and we thought if we had another election, we would fare no better. After the returns were made out, the officers wanted me to sign a certificate to the governor that the election was fairly conducted, which I refused to do. The other judges signed the certificate to that effect. Thompson was the return judge at his own request.

Cross-examined by J. W. Whitfield:

D. A. N. Grover was the candidate for council, and Dr. Harris and Mr. Weddell for the lower house were the candidates voted for on that day. There were no other candidates run. Some withdrew their names in the morning who were pro-slavery men. There was no opposition to Grover, Harris, and Weddell. I did not see any one prevented from voting, though there was a throng about the polls all day. Grover, Harris, and Weddell did not get a majority of the legal voters of the district. I saw Colonel Burns from Missouri there. I have been in the Territory since December, 1854, and have never attended elections in the western country except in Kansas. We have generally been very peaceable at our free-State elections, though when we had an invasion the elections were generally pretty stormy.

To Mr. Reeder:

I did not consider it safe to contest the election. As the delegations came up, I heard it publicly announced that they came from Missouri, but not from what part.

To Mr. J. W. Whitfield:

No threats were made to me regarding contesting the election; nor did I hear any particular threats made. I did not consider it safe, judging from the common talk in the streets and groceries; though I do not now recollect the names of those I heard talking about the matter.

EDMUND R. ZIMMERMAN.

TECUMSEH, K. T., May 7, 1856.

J. B. CRANE testifies :

To Mr. Howard :

I attended the election of the 30th of March, 1855, at Charles Haggis's, about six miles from my house. I think a Mr. Fisk was one of the appointed judges ; Mr. Zimmerman another ; the other I do not remember. Haggis's is a little out of Kickapoo. Mr. Grover was one of the candidates that day, but I do not remember much about them. I did not vote that day, because the party I belonged to had no candidates that day. I saw a great many people there that day, and saw them voting. I should judge that from the time I went there until I left, there were at least four hundred there, coming and going all the time. The greater portion I saw come, came up the Fort Laramie road from towards the river. I saw no encampment. I should think there were more strangers and non-residents there at that election than at that of the 29th of November, 1854. I know some of these non-residents : one Alfred Allen, of Platte county, and a Mr. Hodges, I think, lived in Platte county, Missouri ; a Mr. Ray, from Mercer county ; but I do not know whether these people voted, though Mr. Allen and Mr. Hodges told me that they came to vote. Mr. Hodges claimed the right to vote because he had a claim. Mr. Allen had no claim in the Territory, and did not say what right he had to vote. The most of these strangers were armed with bowie-knives and pistols. I heard quite a number of persons say that they were from Missouri. There were some speeches made there that day. Mr. Grover made a speech. A gentleman was speaking when I got there ; they told me it was Mr. Oliver. I heard but little of it. I did not know what was going on all the time, as I stood pretty well back. A great many of these strangers had little wisps of hemp on their arms or their hats, or somewhere about their persons. I cannot say that I heard anything in the speeches about the right of these strangers to vote, though I heard some talking there : one, who said that he cut a few poles and laid them in the shape of a square, and that made him a claim ; another, that he had cut a few sticks of wood, and that made him a claim ; and others, one thing and another.

To Mr. Oliver :

I saw no disturbance until just about the time I left. I saw none the fore part of the day, except some pretty rough talking. No fighting ; no interruption of the voting. There was, as I understood, one set of candidates.

To Mr. Howard :

I do not recollect of hearing these strangers say in what county in Missouri they came from. I should think one-half of the people on the ground had hemp on, but I saw no one I knew to be residents have it on. I should judge, from what I saw and heard that day, that there was not over one-third on the ground, if that many, who resided in the district. I know of no free-State men in the district who voted that day, and I believe that the free-State party generally did

not vote at that election. I did not vote because I was a free-State man, and there were no free-State candidates. A good portion of the time there was a considerable crowd about the polls, but I presume there would have been no difficulty in voting for the candidates who were running. The word was, that the free-State party should have no candidates, and we brought none out. I heard the pro-slavery men say that the free-State men, or abolitionists, as they called us, should not run a candidate. I took it that they did not intend that the free-State men should run a candidate, if they could help it. They made no threats to me—merely that statement. I think that was the reason the free-State party did not run their candidates. I did not hear Mr. Keller resign. I heard but little of Maj. Oliver's speech, and I heard nothing from him about free-State men not being allowed to run a candidate. I heard from others on the ground, who were strangers to me, that no abolitionists should vote. I have seen a few of these strangers—hemp men—in the district since. Some two or three have moved into the district since; Mr. Hodges is one of them. I think one-half or two-thirds of those who voted that day at that election were strangers in the district. I do not know of a free-State man in the district who voted that day. According to my best knowledge and information, I think that at that time the pro-slavery party in the district had a small majority, but I do not positively know how many, perhaps twenty-five. I presume the majority has not varied much since, though I do not know.

To H. Miles Moore:

I do not remember that in the speeches I heard, I heard any inducement held out to strangers to vote.

Cross-examined by Mr. D. A. N. Grover:

I live about six miles, nearly south, from Hays's house, as we call it, but I do not know what the exact distance is. I saw no one camping in the neighborhood of the house where the election was held the evening before the election. I saw the day of the election, some time about noon, or after, a party with a flag coming up from towards Kickapoo: I do not know who those men were or where they came from, though I heard some of them say they were from Missouri. They did not tell me so, but I heard them tell others so. On the flag was a design of a negro breaking hemp, and was carried by some men in a wagon, but I did not notice what was written on it. I know only from what I heard say, that those persons came from Missouri. I could not be positive those I heard say they were from Missouri were that party, though from all appearances I judged them to be so. They might probably be of some other party. I do not know many of the citizens who live in and around Kickapoo. I know there were a good many settlers around and above Kickapoo. I know a great many of them by sight and where they live, but do not know their names. I do not know the politics of those men as a general thing. Within three miles of Kickapoo, up the river, I know of but five or six free-State men. Some of their names I have frequently heard. There is a Mr. House. I do not know that House has voted for Whitfield, but

he has represented himself to me as a free-State man. There is a Mr. Jones there, a free-State man, and several others there, whose names I cannot tell. I know from their conversation that they are free-State men. I do not know how many free-State men there are in my neighborhood, though there are a considerable number. The family and residence of Mr. Ray were in Mercer county, as I understood the term residence. He has been over here frequently a week at a time, working on a claim; but his family were not here. He has been contesting a claim with Martin Hefferton, and I think he made improvements on the claim, but I do not know whether he has got the claim. I date my residence in the Territory from the 20th of August, 1854, when I landed with my family. People generally attempt to hold their claims from the time they make it, and some pretend to claim their residence from that time, but I do not think that is the general doctrine in the Territory. I think what constitutes a residence is when a man moves on to a claim with his family and goods, though he may hold a claim until he get a chance to move on it. In regard to citizenship, I would relinquish all right and title I had to my claim before I moved on it with my family. But I think a man does not become a citizen until he settles permanently on his claim. I think that a man's family, when he has one, makes him a citizen; that is, where his family is, there his home is. I do not know whether that is free-State doctrine. According to what I have stated I do not think Lewis Burns was a citizen on the 30th of March, 1855. I knew he had a claim and had built a house on it, but I did not know that he had lived there with his family before that time. I did not know of my own knowledge that he had not lived there with his family. The free-State party did not run a candidate, so far as I know anything about it. I intimated to the committee that the pro-slavery party meant to intimidate the free-State party so that they should not run a candidate, for I heard persons say so; but they were strangers to me, and I did not know where they were from; and it is from the words of those strangers I inferred that the pro-slavery party of the fifteenth district meant to intimidate the free-State party. I cannot say that I heard any man of the pro-slavery party, that I knew personally to live in the ninth council district, say that the free-State party should not run a candidate. I do not know where those men lived that I heard say so. I saw no one prevented from voting at Hagis's on the 30th of March, 1855. I cannot say as I heard any one threatened if he attempted to vote. I saw no fighting there before I left. I heard no quarrelling between free-State and pro-slavery men, and cannot say that I saw any violence in any way. Hodgins has had a claim in the district, and was over occasionally before the election, but did no work except to move an old Indian cabin from an old farm to a claim he made, and put it up. He has sold his claim and bought another, which he has moved on since. I do not know anything about Jolly taking the census of that district before the election. I think he went out to take it in winter, when there were three or four inches of snow on the ground. I do not know of any one in my neighborhood who made a claim in the fall, lived there until the cold weather, went over into Missouri, and came back in the spring. I have no idea of the number

of men I was acquainted with in the district. I think I knew one-fourth by sight, but I did not know their names. I was not well acquainted above Kickapoo and along towards Port Williams, though I have frequently rode through there hunting up cattle, and conversed with some I saw there. There were many men in Salt Creek valley whose faces I knew, but not their names. I do not know how many free-soilers I could point out. I know of many whose names I do not know. I knew free-soilers in Salt Creek valley at that time—one was R. Riddle; but I do not know as I knew others at that time. I think there was a majority of pro-slavery men in the district. In my own neighborhood there are free-State men: Mr. Nichols, three Mr. Robinsons, Mr. Wiley, two Mr. Harrisons, Mr. Parks, Mr. Buckner, Mr. Heath, Mr. Gordney, Mr. Sutton, Mr. Foster, Mr. Klein, Mr. Baker, and a good many more.

J. B. CRANE.

LEAVENWORTH CITY, K. T., *May* 19, 1856.

JOSEPH POTTER called and sworn.

I live in Atchison county, in Mount Pleasant township, from thirteen to fifteen miles from here. I have lived there since the 16th of October, 1854, and came from Buchanan county, Missouri. I was born in Kentucky. I was at the election at Hagsis's on the 30th of March, 1855. I did not vote there that day. My acquaintance in the fifteenth district was quite limited at that time. There was quite a crowd there on that day; I should judge from 300 to 500. I saw some there from Buchanan county that day, and who lived there then. I judged. I saw Benjamin Yocum, James and Lafayette Ellison, and a young Mr. Dunlap—Allen Dunlap, I believe. I do not remember that I had any conversation with these men. I judged they were residents of Buchanan county, because they formerly resided there, and were my neighbors, and have resided there since. I did not hear of any there from Buchanan county that I did not know. I saw some there from other counties. I saw Major Oliver there, from Ray county, and I think Laban Withers, from Platte county. I never knew of any of these men I have named living in the fifteenth district. I do not think the people on the ground were generally armed. I saw one revolver, a bowie-knife or two, and some rifles. I left the ground in the afternoon, and do not know whether these men voted or not. I should judge from all I saw and knew of the people of the district, and of Missouri, at least one-half of those on the ground that day were not residents, perhaps more or less. There were many residents about Kickapoo I did not know. I paid but little attention to what went on, that day. Major Oliver made us a fine speech. Col. Burns, and I think a Daniel Burns, made speeches. I do not know where they lived; but they sold goods, and I think lived in Weston. Major Oliver gave us some grounds, I think based on the Missouri compromise, in regard to the right of voting. I was in no fix to listen

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to a speech as a man ought to, for I was somewhat sick and did not pay much attention.

To Mr. Oliver :

The first position Major Oliver took on that occasion was, to guaranty peace to us all. He was called on to speak by a number. I think the Major urged upon all present to use no harsh words ; expressed the hope that nothing would be said or done to wound the feelings of the most sensitive on the other side. I think the speech was a first-rate speech, and was a peace speech. I voted for General Whitfield at his first election, but on the 30th of March I fell over the fence and became a free-State man. I took no exception to anything the Major said in his speech. The Major made a very fine speech, and a peaceable speech ; and said that he felt that all were brothers, whether free-State or pro-slavery men, and that all had an equal right to vote ; and undertook to guaranty that if there were free-State men there, they would be protected in their rights, as would the others.

To Mr. Howard :

I do not recollect that I heard, in any of the speeches, about what constituted residence ; I think Major Oliver excused the Missourians for voting, but I do not recollect upon what grounds. Colonel Burns said to the men there all to vote, as they had all come to vote, and he hoped none would go home without voting. I do not recollect of his saying anything about counteracting the eastern emigrant vote. I do not know that I heard any one who lived in Missouri say anything about that. It appeared to me that the people there generally voted, going up in order in a line of twenty or twenty-five. I got over the fence that day because I thought we had men enough in Kansas to regulate our own affairs, and would have preferred to do so, and I fell over the fence in consequence of seeing so many there I thought were non-residents. I do not know of any free-State men who voted that day, and do not think that any voted. I came from Kentucky to Saline county, Missouri, in 1836, then to Lafayette county, and then to Buchanan county.

Cross-examined by Mr. Grover :

I was born in Lincoln county, Kentucky ; lived some years in Jefferson county, Kentucky. I never lived in Indiana ; merely passed through that State. I was at the election at Hagis's in the 15th district, on the 30th of March, 1855, but did not vote. I had intended to vote for Grover, Kellogg, and Harris that day. I was not prevented from voting that day. I saw no one prevented from voting. I heard no threats made in regard to voting. I was at the election at Pensenaar's on the 29th of November, 1854, and voted for General Whitfield. I saw some strangers there, but they did not throw me over the fence, as the right of strangers on the 30th of March did, because I had not then begun to study into matters right. I do not know that the charge was made that I was a free-soiler before the 30th of March, though I must say I began to get pretty tolerably softened on that subject before then. I had begun to look into public

affairs, and had about come to the conclusion that I would rather live in a free State than a slave State. I had come to that conclusion pretty much before I went to the election of the 30th of March, though I had not fallen over the fence then. I do not suppose the free-State men were prohibited by the pro-slavery men from bringing out a candidate.

To Mr. Oliver :

I heard Mr. Kellogg's speech that day, in which he declined to run as a candidate. I do not recollect what were his grounds for declining, as stated in his speech.

To Mr. Grover :

I was one of the supporters of Mr. Kellogg, and was somewhat dissatisfied when he withdrew, as he was one of my friends I had known in Missouri, and had been with me a great deal, and I thought a heap of him, and that he was a man well qualified for the office. If Kellogg had run as a regular candidate that day, I reckon I should have voted for him. He told me that the occasion of his withdrawing was, that there were so many strangers there that day. I did not vote, because Kellogg, whom I considered our regular nominee, did not make the race that day ; and one cause why I did not vote was his withdrawing. I was not generally acquainted through the district. My acquaintance was quite limited. I do not suppose I know one-fourth of the residents in that district, or even one-fifth. A great many persons I saw that day might have been residents of that district, and I supposed that all or the greater portion of those that came from Kickapoo were residents, and many there that I took to be residents were strangers to me. I can tell a resident, generally, when I see him ; they are generally a little rougher dressed than those who come across the river, though that is not invariably the case. I do not know how many voters there were in the district at that time. Kickapoo I supposed to be a pro-slavery place ; there was a majority of free-State men in my neighborhood. It may have been that there was a pro-slavery majority in the district ; though, in my opinion, there was not far from a tie in the district of free-State men and pro-slavery men. I saw several there that I supposed to be from Missouri, and to the best of my knowledge they lived on the other side of the river, and I have good reasons to suppose they were residents in Missouri. I think I saw more than five there that day I had good reasons to believe were residents of Missouri. Mr. Benjamin Yocum is another family from those who lived near Atchison. It may have been B. F. Yocum, but he was called Benjamin Yocum ; and if he had a claim on the Stranger I never knew it. I have good reason to believe that all the names I have given were residents in Missouri. I do not recollect whether I had been in Missouri that spring or not. I had been over during the winter—some time, I think, in January, though it might have been in February, or even in March. I saw some of those men when I was there in Missouri, but not all. I saw James and Lafayette Ellison there, but I do not think they talked with me about coming over into the Territory that spring, and do not recollect

that I spoke to them. I saw those men in the town of De Kalb, I think. I left them in Buchanan county, and found them there when I was over there then, and also this spring; and, therefore, I call them residents of Missouri. I saw one revolver in the hand of a young man who got up on a wagon to make a speech. I do not recollect of seeing any other revolver. I think the men were not generally armed; if they were, they carried them about their persons. The young man with the revolver had no difficulty with any one, and made no threats against any one that I know of. I think he held it in his hand during a part of his speech, and then put it away, but did not notice what he did with it.

JOSEPH POTTER.

LEAVENWORTH CITY, K. T., *May 20, 1856.*

THOMAS HODGES called and sworn.

I reside in Platte county, Missouri, seven miles from Weston, north-east; I have resided there nearly seventeen years. There were a good many of my neighbors made preparations to come here on the 30th of March, 1855. They were residents there, and owned property there. They said they were coming, and I saw them going and coming. I saw Esquires R. G. Baber, Thomas Stockwell, Dr. Samuel Rickney, and Wiley English, coming or making preparations to come; I do not know that they had provisions with them when they came here. I had a good deal of conversation with some of these men; Dr. Rickney said he would give me five dollars if I would come over here and vote. I never asked or heard these people say what they voted. Esquire Baber said he had voted; I asked him how he felt over it. He said he "did not feel very well; did not think it was right, and should not do so any more."

I know that persons were going and coming at that time; there were a number of persons going over with a view of voting, a good many of them. That was the case more or less in regard to other elections had, but not so much so as at the election of the 30th March. They claimed that they had a right to vote by virtue of the Kansas-Nebraska bill; that it fixed no limited time for acquiring the residence, but they were merely to be here; and that such was the interpretation given to the law by Mr. Atchison. They said they wanted to make Kansas a slave State, and that they had as good a right to vote as the people of the north who were coming to vote, and had come. These are the substantial reasons I heard. I do not know as I heard these men say anything about means or organization to carry out the object. I do not know of any secret political society for the purpose of making Kansas a slave State.

I never came over here to vote myself. I saw Mr. Baber and others return the day after the election, and all my neighbors returned soon after the election, and are now residents of my neighborhood.

Cross-examined by Mr. Grover :

I have lived in Platte county, Missouri, seventeen years next fall; was originally from Tennessee; to Indiana, and then Ohio, where I lived ten years, and then I came to Missouri. I did not volunteer to come here and give my testimony, but was caught here in town to-day. I live six or seven miles northeast from Weston. On the day of election, the 30th of March, 1855, I was at home, and the day before I did not see the persons who were coming over here across the Missouri river. I saw them on the road, and they said they were coming. I did not see them come over the river to Kansas on the day of election, or the day before.

[Mr. Grover objects to the testimony as to what was said by those who were on the road coming, as hearsay testimony; objection overruled.]

I did not see Esquire Baber, T. Stockwell, Dr. S. Rickey, Wiley English, cross the river at the time of the election. I saw all of them but Wiley English pass Hughes's mill, on the Weston road, towards Weston. I do not know whether they went to Weston, or where they went. I don't know what day they came into Kansas. I never saw those men in Kansas, for last night was the second night I ever staid in the Territory. It was talked of freely in my neighborhood, that large parties were coming from the north and east. I have heard Judge Flannigan spoken of. I heard it said that Mr. Reeder had gone to Pennsylvania and brought out Mr. Flannigan to run for Congress, and as soon as the election was over he returned; but whether I heard many or few say this, I cannot tell.

To Mr. Whitfield :

I have never said what I would swear before I came on the stand. I told Mr. Patrick Orr, in private conversation, what I knew about these matters.

THOMAS HODGES.

LEAVENWORTH CITY, K. T., May 21, 1856.

M. T. BAILEY called and sworn.

To Mr. Grover :

I live on what is called the Round prairie, Atchison county, in this Territory, on the military road, about a thousand yards from Hays's house, where the election was held on the 30th of March, 1855. I made my claim in June, 1854, and moved there in September, 1854, and have lived there ever since.

I was at the election of the 30th of March, in that district, and acted as one of the judges, the other two being Mr. Zimmerman and Mr. Thompson. I thought at that time I was about as well acquainted with those living in the district as any person in it. I knew a good many in the district when they lived in Missouri. I have practiced medicine in Missouri, and also since I have been in the Territory, and my acquaintance extends over portions of the Territory and Missouri.

I had generally attended the meetings of the squatter associations in our district, and at those meetings I had an opportunity of becoming acquainted with a large portion of the settlers in the district. I was at all the little claim disputes and neighborhood quarrels. It was a general rule for persons when they got into a dispute about their claims to call on their neighbors, and I generally attended them, if nothing more than as a spectator. I thought a large proportion of the voters of that district were at Hays's house at the election of the 30th of March, 1855, and the voting was conducted regularly and orderly, as far as I ever saw at any election, all being allowed to vote who were entitled to vote, whether pro-slavery or free-soilers, and no persons tried to be kept from voting, and no threats made, as far as I saw and heard.

D. A. N. Grover, H. B. C. Harris, and Jonah Weddell, were the candidates on that day. Mr. Kellor having withdrawn, there was no opposition. I never heard that the free-State party had any candidates in the field, because I suppose they thought there was no use in it, as they would be beaten. I never knew or heard of any pro-slavery man preventing them from bringing out a candidate. At that time I believe the pro-slavery party had at least two-thirds majority in that district, and the district has always been considered one of the strongest pro-slavery districts in the Territory.

I think a large proportion of the resident voters in the district voted there that day. Some of the free-State men voted the pro-slavery ticket that day. My house is in plain sight of Hays's house, where the election was held. I do not think I saw any wagons camped about Hays's house the night before the election, though there may have been and I not noticed it, as we paid but little attention to such things, it being common for persons looking at the country to camp out. I do not know anything of a crowd of strangers coming around the polls and insisting upon the polls being opened, and did not hear of such a thing until a year afterwards. I had no private conversation with any one with regard to the election after I was appointed judge by Mr. Zimmerman and Mr. Thompson, in the place of Mr. Fisk, one of the judges who had been appointed by the governor and declined to serve. There was no agreement between me and the other two judges not to examine those who offered to vote.

Mr. Zimmerman came and brought all the necessary documents with him, and instructed us throughout according to the instructions of the governor. At that time I had never seen or heard of the form of the election law until Mr. Zimmerman showed it to us. Mr. Zimmerman acted as foreman until we opened the polls. I had gone to the polls very early in order to take a table for the judges to write upon, and Mr. Zimmerman was there when I got there. I had no idea of serving as judge until I returned from breakfast. I received the tickets of the men voting part of the time, and so did Mr. Thompson, while Mr. Zimmerman sat there examining the census returns; I turning over the leaves, and now and then saying, "that man is right."

I heard nothing said about taking Mr. Zimmerman out of the judge's room, or any threats of the kind. I do not know when the canvass was taken. I heard that Mr. Jolly had been taking the

census, but I never saw him in my neighborhood. About three weeks afterwards Thompson and Weddell came round and took a census. I think it was in the winter that I heard Jolly was taking the census, but I do not recollect whether there were any more on the ground or not. There were many settlers in my district who had gone over in Missouri—some to bring their families over in the spring; some on business, and were prevented from returning by the state of the river; and some went over into Missouri for the purpose of gathering their crops, and with the intention of staying until the river opened. I think a perfect census return could not have been made during that winter, except the person who took it should go round the district and inquire for all who really belonged in the district, but happened to be away. I know of more than a dozen men who moved before the election, and after Thompson and Weddell had been round into the district, and live there yet.

I heard of no pass-word used on the day of election by any person or party. I think on the 30th March, 1855, there were some four or five hundred actual resident voters in the district, and a large portion of the settlers were from Missouri, because it was right on the border, and people could easily come across. I think the heavy settlements were made earlier in our district than in any other district in the Territory.

M. T. BAILEY.

LEAVENWORTH CITY, K. T., *May* 26, 1856.

WILY WILLIAMS testifies:

To Mr. Scott:

I have lived in this Territory, in what was the fifteenth district, and now Leavenworth county, since June, 1854. At the time of the election of the 30th of March, 1855, I was pretty well acquainted in and around Kickapoo for some two or three miles, and I should judge that in that distance there were at least 500 legal voters. I should think that there were at least ten pro-slavery votes to one free-State vote. I was at that time acting as constable for that fifteenth district under a commission from Gov. Reeder, and my knowledge of the sentiments of the people in and around Kickapoo was acquired by the opportunities that position gave me to associate with them. I was not at the election of the 30th of March, 1855, on account of sickness.

Cross-examined by Mr. Howard:

My opinion in regard to there being ten pro-slavery men to one free-State man had reference to those in and around Kickapoo, where my acquaintance was principally confined.

To Mr. Scott:

I have been living in this Territory since June 15th, 1854, on the bank of the Missouri, at Kickapoo city, in what was formerly the fifteenth district, and now in Leavenworth county, and have never

been absent from there at any one time more than ten days. I know a good many of the Missourians who are residents in St. Joseph, Weston, and Lexington, Missouri, having lived in all those places myself. I have conversed with a good many of them concerning eastern emigration, and the unlawful voting that was expected of the eastern emigrants. We had heard that a great many were being sent here to the Territory for the purpose of voting and making Kansas a free State, and then they would return home. I frequently told them I heard they were coming over to vote in the Territory at our elections, in case these eastern emigrants who were shipped here came and voted unlawfully, and asked if they thought it would be right for them to do wrong because others did. They generally said, in reply, that they were not coming to vote, but they had a right to come here and prevent eastern emigrants from voting, and they would do so; but they would not vote themselves until they should come and get themselves claims, and stay here long enough to make themselves legal voters. I did not know of any emigrants being shipped here, as I was sick part of the time during the principal season of emigration, and never knew of any Missourians voting at any election here. I was at the first Congressional election on the 29th of November, 1854, at Pensenu's. Gen. Whitfield was the pro-slavery candidate, and Judge Flannegan the free-State candidate. I voted at that election and saw a great many others voting, a large majority for Whitfield. I saw some voting for Flannegan. I saw Flannegan's nephew there electioneering for Flannegan. He seemed to be considerably excited, and I thought considerably intoxicated. I did not know him, but I was told it was Flannegan's nephew. He was very solicitous and a little overbearing in favor of Flannegan. He offered me a ticket, and said that Flannegan was the man. I told him I had a ticket, and was a Whitfield man, and everybody had a right to vote as he pleased. I saw him approach several others in the course of the day with tickets. I saw no person do, nor heard any person of the pro-slavery party say, anything out of the way to him in any way. I saw no difficulty on any side. Both sides voted as peaceably and quietly as I ever saw at any election. I remained there till pretty near night, and when I left all was quiet. I saw some Missourians at Pensenu's—Mr. Douglass and his son, I think, and a Mr. Johnson, and others I do not now recollect. The Missourians did not interfere by word or act, that I saw. I saw none of them vote. I asked one or two Missourians if they came to vote, and they said no, as they had no right to vote.

WILY WILLIAMS.

LEAVENWORTH CITY, K. T., *May 29, 1856.*

S. W. TURNELL called and sworn.

To Mr. Scott:

I resided on the 30th of March, 1855, in the fifteenth election district, and have resided there since the 6th of June, 1854. I was about as well acquainted with the people of that district as almost any

man in it, and was generally acquainted with their sentiments upon the subject of slavery. I took no particular pains to find out their sentiments, except to try and find out where each man stood on that question, and at the time of that March election I should judge the pro-slavery were two to one of the free-soil party in the whole precinct.

Kickapoo is about midway on the river in that district. I was at that election that day. D. A. N. Grover for council, and Dr. H. C. B. Harris and Jonah Weddell for the house of representatives, were the pro-slavery candidates. Mr. Kellogg was a candidate for a time, but withdrew the morning of the election. Kellogg claimed to be a pro-slavery man, but was an independent candidate. I never knew of the free-State party having any ticket for that election. I heard Kellogg announce his withdrawal, but I do not recollect the reasons he gave for withdrawing, and cannot say whether he gave any reason, though I think he did. I think he withdrew before there was any voting done. I saw no sign of difficulty about the election, either before or after the polls were opened, and no indications of interference with any one voting. I do not know as I saw more than three or four persons vote. I saw a great many residents there, but I did not see them vote, though I think they did. I do not know that anybody was prevented from voting. In the morning it was very crowded about the polls, and persons might not be able to get to the polls when they wanted to, but in the afternoon all could get up. I do not think that at the beginning of the crowding at the polls there was a free-State man among them. But as soon as the first crowd got to vote, every one could vote. After that, and during the day, there were frequent calls for more voters. If the free-State party had had a ticket in the field, and there had been no Missourians there, I think the pro-slavery men could have elected their ticket over all opposition by a considerable majority.

S. W. TURNNELL.

LEAVENWORTH CITY, K. T., *May* 29, 1856.

THOMAS J. THOMPSON called and sworn.

To Mr. Scott:

I reside some three or four miles northwest of Kickapoo, in Atchison county, in what was formerly the fifteenth district of this Territory, and have resided there since June, 1854. At the time of the election of the 30th of March, 1855, I was well acquainted with the residents of that district. In the winter of 1854 and 1855, the governor appointed Mr. Jolly to take the census in our district. He came into the district in the very coldest of the weather, and seemed to be in great haste, and we thought he was not making out a just census of the district. I concluded I would take the census over on my own responsibility, and I did so, and made the returns to the governor on the same day Mr. Jolly made his return. Our lists did not correspond, I having made out some fifty to one hundred voters more than he did.

The governor took my returns and paid me for my services. I made it my business, while taking the census, to find out as far as possible what were the sentiments of the people on the subject of slavery, and I found that a great many men I count as residents of the Territory, who had no other homes but in the Territory, had gone to Missouri to pass the season of cold weather there. These persons generally returned before the election. I did not include these names in the census list. The district was largely pro-slavery; so I judged from all the information I could get. People were all the time coming into the district from the time I finished the census to the time of election, and thus there were many more voters there at the time of election than when the census was taken; and there was a general complaint among both parties that the census should have been taken, and the district laid off, when many of the actual residents of the district were absent for the winter in Missouri, with the intention of returning in the spring. Mr. Jolly gave as an excuse for not having all the residents, that he was not acquainted with that portion of the country; and as it was pretty broken, he could not find all the little cabins stuck round in the hollows, but he put down all he saw.

I was acquainted with a great portion of the residents who returned after the census and before the election, and I was acquainted with a great many settlers who were from Missouri, as I had lived in Missouri some time and had known them there; and pretty much, probably two-thirds, of the returning residents and the new comers were pro-slavery. I attended the election at that precinct on the 30th of March, 1855, and was one of the judges of election appointed by the governor. The other judges appointed by the governor were Mr. Fisk and Mr. Zimmerman. Mr. Fisk did not attend. Mr. Zimmerman and myself were on the ground early in the morning, and when the hour for opening the polls arrived, which was 9 o'clock, Mr. Fisk was not there, and we waited, according to our instructions, an hour, before we proceeded to appoint one in his place. At 10 o'clock we selected Mr. Martin T. Bailey, and proceeded to open the polls immediately, as soon as we could be qualified and choose our clerks. H. C. B. Harris and Jonah Weddell for representatives, and D. A. N. Grover for council, were the pro-slavery candidates. There were no free-State candidates running. Mr. Kellogg, for the lower house, withdrew about the time the polls were opened. I think the free-State party had not at any time a full ticket for that election; I never saw nor never heard of any. Mr. Kellogg gave some reason for withdrawing, but I do not recollect what it was. I think, from all I could learn, that he had brought himself out, and finding none of the free-State party would vote for him, he withdrew. I was in the house, and I did not see many who were on the ground. I had been living in the Territory for nearly a year. I saw some men who had lived in Missouri, but I did not know whether they lived there then or not. I have no knowledge of their interfering with the election by voting, or in any way. The election was as quiet as any I ever saw, and there seemed to be good feeling prevailing on both sides, so far as I saw. I did not know of any complaining of opening the polls so late, and leaving without voting. Some said they wanted to vote soon, but I explained

why we did not open sooner. I told them that we would open at the time fixed, when one of the judges was absent. I knew of no one going away on that account. The free-State men voted without any hindrance, so far as they desired to vote. Some of them did not vote, because they had no ticket. There were two ballots put in with the words "no slavery," but with no names of candidates. Even if Missourians did vote, the pro-slavery ticket would have been elected without their votes. There may have been some votes given by Missourians who had claims here, and were working on them, but had no families here. The members elect called on us for certificates of election, and Mr. Bailey and myself granted them, Mr. Zimmerman saying he saw no use in it, but we could do as we wished; he would go, as he had some ways to walk. The poll-books had been closed and certified.

THOMAS J. THOMPSON.

LEAVENWORTH CITY, K. T., *May 29, 1856.*

EDWARD BOURNE called and sworn.

I live in what is called Atchison county, in this Territory, and my family has been living there since November, 1854. I was at the election at Charles Hayes's house, on the military road, on the 30th of March, 1855. I was there a good portion of the day, but I did not get there very early. I did not vote. I went there for the purpose of voting, and a man came up and put a ticket in my hand, and said if I did not vote that ticket I should leave. It was a man named Jonathan Smith, who lived in the district, who said that to me. The day previous to the election I had been across in Platte county, at a place called Iatan. Some men there gathered around me, and wanted to find out my political opinions, and how I would vote. I told them that I did not exactly know; that the question about this being a slave or a free State was one I did not much care about. One or two said that if I did not promise to vote for making Kansas a slave State they would throw me into the river. One of them, named Creek Gum, of Platte city, a son of one who keeps an hotel in Platte City, pulled off his coat, and wanted to get a party to throw me into the Missouri river. I came across the river that day safe and sound. There was an immense body at the election, and as I was going to the polls I met considerable bodies coming from the election polls. I got there about ten o'clock in the morning. The man who attempted to make me vote made me angry. The crowd was then around, and shooting off their revolvers, and making a great noise. I knew a number of the men in the crowd. I knew most of the residents in the crowd, though some of them, probably, I did not know. I should think there were three hundred men in a body, besides those who were coming away. I saw a good many, while I was there, go up to the window and hand in tickets. I saw several there I knew were not residents of the district; one of them was Captain John Reed, from Clinton county, Missouri; Mr. Brooks; Mr. "Bungar," I think, from Clay county;

Mr. Cuck, from Clay county, I think—I do not know his first name; Mr. Gabbord, deputy sheriff of Platte county at one time; N. J. Alexander, a merchant in Platte county; Mr. Turner, a magistrate from Platte county; Mr. Seward, from Platte county; Mr. Ellaford, from Platte county, I think; Geo. W. Smoothe, from Platte county—he made a claim in the Territory, but never lived on it; and several names I cannot call to mind. I was acquainted in three or four counties of Missouri. I saw Mr. Brasspeard, from Platte county; John and Wm. Forbes, from Camden Point, Missouri. I never have known of any one of these I have mentioned who had ever lived in the district. Captain John Reed said he had a perfect right to come here and vote. I was talking with him about his making his claim, and he said he did not know when he would make it. There were little pamphlets in circulation as to the right of people to vote, and who would have a right to vote. Captain Reed seemed to think that the moment he landed here he had a right to vote; and that appeared to be a somewhat general impression. I think he told me he had voted, and I think Mr. Brooks told me he had voted. I cannot now call to mind the names of any others who may have told me they had voted.

To Mr. Prapper:

I think I know a good many persons in my district, but I do not know any James Moore in my district. I think I met a man from Platte county there of that name, on the day of the election. I do not know a Mr. Oliver Sweeny in my district, but I know several Sweenys in Platte county. I do not know a Mr. G. W. Calne in our district. There is a Calver living in the district. I do not know whether Thomas Baker was living in the district or not at the time of the election, but I think not. I do not know a Mr. E. E. Bywaters in the district. I know some Bywaters in Platte county, but not the initials of their names. I know Enoch Stoggs, and he lives in Platte county; I saw him the day of the election. I do not know G. W. Kyle in our district at the time of election. G. W. Smoothe lives in Platte county, and I think he sold his claim before the election. A. B. Sesson lives in Platte county, and I saw him at the election. I never knew him to live in the district, though I heard of his making a claim and selling it again. He told me he had voted that day for peace. I know a Ross in our district, but cannot say whether there is a B. F. Ross or not. I know a Thomas Scott, and I think I saw him at the election; I think he lived in Platte county. I know Lee Olhain, but I never knew of his living in the Territory, though I heard he made a claim near Kickapoo. I should think about one-third of the crowd I saw at the polls were actual settlers of the district. I cannot say how many legal votes there were in the district at the time of the election. I went to the election because I was dared to go there, and they said they would duck me; and I went there to show that I would go. I am a free-soiler myself, but I do not try to influence others. I came to Kansas just to get a piece of land cheap.

Cross-examined by Mr. Scott:

When they threatened to throw me into the Missouri river at Iatan,

if I did not promise to vote the pro-slavery ticket, I would not promise any such thing. They did not throw me into the river. One stripped off his hat, but did not attempt to do it. Mr. Jonathan Smith put a ticket in my hand, and said if I did not vote that ticket I should have to leave there. I did not vote that ticket, and I did not leave there immediately. No one else tried to make me vote by coercion. Others argued with me, but no one prevented me from voting. I got mad when Mr. Smith said that to me, and I would not vote, especially as there was only one set of candidates—the pro-slavery candidates. I know over one-tenth of the persons who live in the district, I think. I do not know how many lived in the district at that time. I have been nearly over the whole district. I cannot state the exact number of persons there are in the district. I know two hundred, I think, of the residents of that district, and I think there are more there. I think there were persons there of both pro-slavery and free-State. I should think that at that time there were a majority of free-State men. There were two men by the name of Logan, and a Mr. Roberts, free-State men. If I am obliged to tell who are free-State men, I will tell; but I do not want to tell the names of men who do not want their names known, as they do not think it safe. I think there were more free-State men there than now. I think there were free-State men there, because I talked to them at different times. I have been beaten and bruised because of my political opinions, and had to show my pistol to defend my life; and I think I am in danger now, when I tell what I do here. My wife has scarcely changed her clothes for the last six weeks, and a mob has come about my house and threatened to hang me if I did not leave in ten days, and called me an abolitionist, which I am not. The primary cause of my difficulty may have grown out of a disputed land claim; but politics has given it a different complexion. Only one of the persons I had the difficulty with had anything to do with the claim. The man who struck me, and the man who drew the pistol on me, never had anything to do with the claim. The man who drew the pistol on me I never spoke to in my life. This difficulty did not occur on the claim, but at Kickapoo, where I went to get some corn ground.

[Mr. Scott wishes it noted that he did not call out the account of the difficulty on cross-examination, but that it was a voluntary statement of the witness.]

One of the Logans is on the same claim with myself, and he pointed me out to the Kickapoo bully that they might beat me. He is not a free-State man now, but he told me at one time that he would not live in Kansas if it was a slave State.

Captain John Reed told me his residence was in Clinton county, Missouri; that he came over to vote, and was going back home the day of the election. Mr. Benjamin Brooks came up to me, and we had some talk about claims. He asked me if I knew where he could buy a claim. I think he acknowledged to me that he had voted, but had no claim; he owns lands in Clay county. My understanding of the matter is, that I should be living in the Territory before having a right to vote, but I can live in the Territory without having a claim. Brooks was on his way back to Clay county when I met him; he was

in Kansas Territory when I met him, but he told me he was on his way back to Clay county, Missouri.^o I think the residence of George Gabbord was in Platte county, Missouri, at the time of the election. I have never been there since. He has a farm and placer in Platte county, and I never heard of his coming to the Territory to live, and I am satisfied he never lived in our district. M. J. Alexander was and is a merchant in Iatan. I saw 'Squire Turner on his way home; he was then acting magistrate in Platte county. M. Lemmud's residence is near Mr. Turner's. I saw him coming from the election. I do not know of any one voting except those who told me they had voted.

To Mr. Grover:

I have been quite frequently in Missouri since I moved to the Territory. I have been over there for four weeks at a time.

EDWARD BOURNE.

LEAVENWORTH CITY, K. T., May 22, 1856.

O. H. BREWSTER called and sworn.

I have resided in Lexington, Missouri, nearly four years, and came originally from New York State. I was about three miles from town here at the time of the difficulties at Lawrence, Kansas Territory, last fall, working for Col. Ewing at my trade of carpentering. I was there when the news of Governor Shannon's proclamation first came. Col. Ewing urged his hands, just as soon as his house was finished, to go up to Kansas. He stated as a reason that Governor Shannon in his proclamation had called upon the citizens of Missouri, and they had a right to go up there and enlist in the militia of the Territory, and that Governor Shannon's proclamation was sufficient authority for them to do so. I attended a public meeting afterwards, and heard speeches made by citizens of this place, as far as I knew them. Men were called on to enrol their names, and I saw quite a number go up and write their names to go up to the Territory. It was said that those who had no horses should be furnished with them, and that provisions should be furnished them, and it should cost young men nothing to go out to the Territory and come back. I think a hundred or more went from here or through this place, and I heard a large number state that they intended to burn Lawrence and wipe out the abolitionists. I heard several of them converse after they came back, and one, in particular, (Captain J. Reese, a lawyer of this place) said that the Missourians, with the militia, would have rushed into Lawrence and destroyed it if it had not been for the Sharpe's rifles. I heard others converse, but it amounted to about the same thing.

I have seen Major Oliver, the representative to Congress from the district across the river. I heard him make a speech at the proslavery convention for the State of Missouri, held in Lexington, Missouri, on the 26th of June, 1855. It was the same meeting at which President Shannon, of the State University, addressed those

present. A man by the name of Samuel Young, from Boone county, also made a very strong pro-slavery speech. Mr. Young argued in his speech that it would be right to drive the free-soilers out of Kansas Territory and prevent them from settling there. Mr. Oliver replied to him, and in the commencement of his speech seemed to condemn any unlawful movement; but before he had finished he stated that he had been up to Kansas Territory and voted himself, and would go again under similar circumstances. He went on then to justify his voting and the whole proceeding, on the ground that the northern people had formed an Emigrant Aid Society and sent men out to the Territory of Kansas. He went on to describe the Emigrant Aid Society, and stated that hundreds had been sent out here, and on this ground he justified his voting. He did not say at what election, time, or place, he had voted in the Territory. I remember very distinctly that he said he had gone to the Territory of Kansas and voted, and would go again under similar circumstances.

O. H. BREWSTER.

LEXINGTON, Mo., *June 10, 1856.*

JOHN W. MARTIN testifies:

To Mr. Scott:

I resided on Plum creek, about a mile and a half from Kickapoo, in the fifteenth district of this Territory, on the 30th of March, 1855. I was born in Kentucky, but when an infant was brought to Missouri, where I was raised and lived until the 12th of June, 1854, when I came into the Territory, and have resided in the fifteenth district ever since.

I was present at the election of the 30th of March, 1855, at Mr. Hays's in the fifteenth district. There was but one set of candidates at that election: the pro-slavery candidates, Grover, Weddell, and Harris. I did not hear of any free-State candidates there. I saw nothing done by the pro-slavery party to keep the free-State party out. There was such a rush among our party to the polls that we would crowd one another out, but that was all that I saw.

There were Missourians there, and some of them may have voted, but I saw none of them vote. I was tolerably well acquainted with the inhabitants of that district, and there was a general turn out of the voters of the district that day. We have very few free-State men there, I think, and all voted who desired to. I never heard any one complain of not being allowed to vote. There were a good many men from Missouri then on the ground at that election. I understood they came there to counteract these emigrant aid voters who were expected there, and if the aid-emigrants voted they intended to vote themselves. I did not see any of them vote, and I did not hear any of them say they would vote, except in the case of aid-emigrants being allowed to vote. I saw many of the legal voters of the district voting that day.

To Mr. Oliver :

I suppose the pro-slavery party had a majority of ten to one in that district, if not more. There were but one or two free-State men scattered about, who were quiet men and did not care to take any part in the election. Mr. Kellogg was out as a pro-slavery candidate, as I understood, but I did not hear him decline to run that morning, as that took place before I got to the polls. The pro-slavery party had no fear of being defeated by the free-State party, except by some such thing as the Aid Emigrant Society were said to be getting up, and we heard every day, and were told, that the election was put off in order to allow the emigrants time to get here.

Major Mordecai Oliver made a speech and urged the Missourians not to vote, as there was no necessity for it, the aid-emigrants not having come in. He said that the reason for the Missourians coming was to counteract the emigrant aid movement, and as the aid-emigrants had not come to that election in that district, there was no necessity for Missourians voting, and they ought not to vote.

To Mr. Howard :

I have known the boundaries of the fifteenth district, but I cannot give them exactly now. It embraced the upper settlements of the Stranger creek, north of Fort Riley military road, up to Walnut creek, the Kickapoo settlement, Port William, &c. I should think that in and about Kickapoo there were not more than one hundred and twenty voters at that election ; in the Stranger settlement there were about thirty or forty families, and about that many voters ; in the Walnut neighborhood there were from eighty to one hundred voters ; Port William I have included in Kickapoo and Walnut, thus giving from two hundred and forty to two hundred and fifty voters in the district. At that time, if the free-State men had had a ticket in the field, I could not tell how many they would have polled. Several free-State men voted the pro-slavery ticket that day ; but there were two pro-slavery men on the ground to one free-State man, let the free-State men vote as they may. I am better acquainted about Kickapoo than other portions of the district, but I have estimated the relative strength of the two parties in reference to all the district.

To Mr. Oliver :

I had been over the district once or twice before that election, and had taken a great deal of pains to find out the relative strength of parties, and I know that the pro-slavery party had a very large majority ; that there were very few free-State men at all.

J. W. MARTIN.

LEAVENWORTH CITY, K. T., May 27, 1856.

M. P. RIVELY testifies :

To Mr. Matthias :

I have resided in this Territory some five years, and came here from

Philadelphia, Pennsylvania; I was present at the election of the 30th of March, 1855, at Mr. Hays's, in the 15th district. The pro-slavery candidates were D. A. N. Grover for Council, and Dr. H. C. B. Davis and Jonah Weddell for the House of Representatives; I do not recollect whether there were any free-soil candidates or not. There was not much of a contest in the district; there were quite a number of persons at the polls, and voting when I got there; there seemed to be no objection to any one of either party voting. Calls were made by persons on both sides for voters to come up and vote; I was pretty well acquainted in the district, from the fact that I had a store there; and many, perhaps a majority of the persons in the district, were at my store, and I was acquainted with the political views of most of them. I think the pro-slavery party had a majority of at least three to one; the election was conducted peaceably and quietly while I was there; I saw no persons armed there. I do not know why the free-State party took no decided part in the election by bringing out candidates. They were not prohibited in any way from doing so. I think Governor Reeder's conduct had the effect of making the people dissatisfied here, by showing a decided preference for making a free State of Kansas, in a short time after he was here, by choosing free-soilers to do what business he had to be done; by appointing free-soil canvassers, and a majority of free-soil judges of election; and letting eastern people know when the election was to take place before he let us know it here; and thus leading the people to believe he would make a good governor for the free-soilers, but not for the pro-slavery men. Information was also received here that he was interested in the East, in importing votes from Massachusetts and other States to make this a free State. The people in Missouri became aroused, and they came over here to the election to counteract the votes of the eastern men; that is about the cause, I believe, of all our difficulties here.

Cross-examined by Mr. Howard :

It was a general rumor that Governor Reeder was interested in bringing votes here; I had no specific information on the subject.

To Mr. Matthias :

I came into the Territory some five years ago from Philadelphia, Pa. I was not present at the election of 29th November, 1854. General Whitfield was the pro-slavery candidate, and Mr. Flannigan was the free-soil candidate for Congress at that election. I was introduced to Judge Flannigan shortly after he arrived at Fort Leavenworth; he came to Fort Leavenworth with Governor Reeder. Shortly after he arrived Judge Flannigan came out to Salt Creek valley, where I then lived, and went to the house of Isaac Cady, and announced himself as the free-soil candidate for delegate to Congress, and he made a free-soil speech to a number of free-soilers at Mr. Cady's; this was probably ten days after his arrival in the Territory. He made the race, and was defeated by General Whitfield. Some three or four days after the election was over, Mr. Flannigan returned to Pennsylvania; I do not know where he resides in Pennsylvania. I have heard he had

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a family in Pennsylvania; he had none with him here in the Territory.

M. P. RIVELY.

LEAVENWORTH CITY, K. T., May 31, 1856.

SIXTEENTH DISTRICT—*Leavenworth.*

DAVID BROWN recalled.

I came into the Territory about the middle of September, 1854, from Minnesota. I reside in Leavenworth city at present, and have resided in this district since the 27th or 28th September, 1854. On the 30th of March, 1855, I was in this place in the forenoon; I was at the election, but did not vote. I had been appointed as one of the judges of the election, but did not serve; I resigned. I was here the day previous to the election for the purpose of making some preparation for holding the election; and that evening I offered my resignation to the other two judges, and told them they might fill my place with some one else. I did not offer my resignation publicly until the next morning, announcing it to the audience present. I concluded that violence would come to my person if I served, and that I should not be able to carry out the election as my instructions required me to do. There was a difference of opinion between me and Mr. Rees, one of the other judges, in regard to the oath to be taken by the judges. He stated that there was something more required of judges by the governor than he would subscribe to. I thought I could refer it to no other authority but the governor, and if I acted I would have to subscribe to the oath prescribed. He stated he would not subscribe to the oath. The other judge, Mr. France, said he would subscribe to the oath. Mr. L. N. Rees, Mr. M. France, and myself, were the three judges appointed by the governor. A Mr. Panton was appointed in my place. I concluded that there was a portion of the people present who wanted to vote, who wanted judges who would not ask such questions as I would have asked; and Mr. Rees made the proposition that we should all resign, and let the voters choose judges to suit themselves. I remonstrated against it. Mr. France likewise remonstrated. After talking some time, I remarked that I saw no opportunity to get a house for the election; and owing to excitement and some personal prejudices against me there, I said I would resign, and I asked them to fill my place. He remarked, in reply, that he would a little rather we would all resign. I then made the proposition that we should take our seats as judges, and I would sit unarmed there until the crowd should take me and sit me politely down in the street. I had been interrogated previously in different matters concerning the oath, and what I considered necessary to constitute a legal voter. My answers had been, that I should want to ask a man if he was a citizen or resident of the Territory. When they would ask me what I should want further, I said if I doubted a man was a citizen, I should ask if this was his only home, believing a man could not

have a home in New York and here at the same time. I insisted that I should ask these questions, and that was one objection to me. Another was, that Reeder, acting governor then, had appointed two free-State and one pro-slavery judge here. These were the principal causes. I thought they would want to get another man in my place who would not subscribe to the oath prescribed. On the morning of the 30th March, 1855, about 9 o'clock or after, I got up and cried out to the audience that I, David Brown, being appointed by Governor Reeder as one of the judges of the election, under existing circumstances could not and would not serve. I do not state the reasons. I will state, that when I proposed to Mr. Rees that I would take my seat as judge unarmed until they politely took me off it, Mr. Rees remarked, that would be carrying the joke too far; that neither he nor any other man could control the people.

I remained around about the polls until somewhere near noon. I was but little acquainted in this district. From the time I came into the Territory up to that time, I do not think I had seen the face of a man I had seen before. The people I met here at the election were strangers to me, except some I had got acquainted with here and in Salt Creek valley. I should think there were from 300 to 500 persons in the forenoon when I was here, to make a rough guess. I saw no encampments here. On two nights previous to the election there were various parties camping about my neighborhood—Salt creek—some in tents and some in wagons; three or four wagons together sometimes. I do not know where they came from or where they went to. There was a good deal of stir and fuss around town; some pretty much in liquor, some wanting to get sight of an abolitionist or a free-soiler. When they got up to the polls, a rope was stretched from one corner of the building to a stake, then to another stake, and then back again, so as to make a kind of square lot or pen. I could hear the question asked, on my way up from the levee, "How shall we vote, by messes or companies?" Others would say they did not know how, but they would go in and vote. The voting was done in a winnow, and there were a few about. The word seemed to be, "I am all right on the goose." As I belonged to the ganders, I had but little chance. Some of them said they could tell an abolitionist as far as they could see him. I heard no one say, while voting, where he came from, that I recollect. A steamboat arrived here while I was here from up the river, but I do not know her name. She had a crowd of men on, who got off, and the boat lay here some time. I saw none of those men vote, as I kept away from the polls and did not notice who voted. I heard some men say that day, that a man's presence constituted a residence here; others, that they had made claims, or staked out lots, or laid out a town. Some two or three individuals were here that day that I considered residents of Missouri. They earnestly urged me to resign in the morning, saying they would offer my resignation for me. I told them I had a tongue of my own, and would offer my resignation myself when the proper time came around. One of these men was named Malcolm Clark, the one shot by McCrea; another was Charles Dunn. The reason I regarded them as citizens of Missouri at that time was, that I had been to Mr. Clark's

house and place on the other side of the river, and his telling me that was his home. This was a month and a half or two months before the election. Mr. Dunn had a claim adjoining me, and was frequently over to it. I had seen Mr. Dunn in Weston, and he had told me that he was going to move over here. He moved in May, 1855, on his claim, and has lived here since. These were the reasons why I regarded these men as non-residents, and should have objected, as a judge of election, to their voting.

I did not vote, because I thought I had no business crowding inside that rope, where all were goose men; and from the prejudice about my appointment, and other circumstances, I did not think I would have been safe in going up there to vote. I saw a great many men with pistols and knives hanging about their persons. There was rather more stir about the election than I have been accustomed to see, and I felt it was my place to say but little, as they seemed to be considerably excited against the free-State party. I went home about noon, and did not come back again that day. Previous to the election, for some days, a good many had been running to me and soliciting me to resign; and one gentleman came to my house, who said he was from Missouri, and staid over night with me, and urged me strongly to resign, and said that if I did not, the consequences would be disagreeable. My family had heard the conversation, and as my wife was much frightened, I concluded I would be better at home, after I had got through my business here, the day of the election.

I wish also here to state, that after I had been in here on the day before the election, and had told the judges I would resign, and I had returned home about ten or eleven o'clock at night, Mr. Charles Dunn came to my house, and urged me to resign. He said that there was a company of some four hundred men below Scragg's mill, at the mouth of "Three-mile" creek, and that they were twisting a rope, and making preparations to hang me if I did not resign, and he asked me to authorize him to say to these men that I would resign. I told him I had told the other two judges to fill my place. He afterwards told me that that communication quieted these men.

[Mr. Oliver objects to this evidence, in regard to what was told witness by Dunn.]

To Mr. Oliver:

I had concluded to resign before I heard this of Mr. Dunn, and had authorized the judges to fill my place.

Cross-examined by Mr. Rees:

I left the town on the day of election, somewhere near noon, between 11 and 12 o'clock. I saw no resistance offered to men voting. I think I saw none I knew to be free-State party offer to vote. I saw no further opposition to the voting of free-State men, except the conversation I heard about. I did not hear it proclaimed that day that there should be free voting. I heard it proclaimed by some outside, "Come on, we have the right kind of judges." The rope was full

when I came away. I did not consider that necessary to afford facilities for voting and keep the crowd away.

DAVID BROWN.

LEAVENWORTH CITY, K. T., *May 17, 1856.*

FRANCIS A. HART called and sworn.

I reside in Leavenworth county, some four miles, a little east of south, from this. I emigrated into this Territory with my family on the 20th of September, 1854, from Buchanan county, Missouri, and have lived here ever since. I was here at the election of the 30th of March, 1855. I am not very well acquainted out back in this district. I have lived from the 9th of November, 1854, till the 17th of September, 1855, about a mile west of this. I was here all the day of election, except a little time about noon, when I went home and then came back. I was acquainted with many in this district, and many I saw I did not know. I estimated the number on the ground here the day of election and the day before at from 1,000 to 1,400. A great many were strangers, and a great many had hemp tied in the button-hole of the coat, or about the waist, or in other places.

On the 28th and 29th of March wagons came near where I was living, about a mile from here, and camped on both forks of Three-mile creek. One wagon drove up to a shanty there, and I went over to see about it, and observed to them that I had supposed probably Fayette Mills had sold his claim, and they were coming to take possession of it. They said they had not bought the claim, but had permission to camp there. I then asked them where they were from; and they told me they were from Chariton county, Missouri, and that there were about three hundred in their company, but they had not all got in. It is this company that I refer to as having encamped on the two forks of the creek. They did not tell me at that time what they came for, that I recollect. On the 29th I saw a good many down here, where the candidates were speaking, and also down here on the day of election. I do not know that I saw any of them vote. I did not vote myself at that election. I heard something about voting from some of those men, but I don't recollect what it was. On the day of election, as I went home in the afternoon, some of the wagons that came down to town did not come back. There was a new party, some one or two wagons, and from twelve to fifteen men, who were making their camp in the road to my house. They remained there till next morning, when they left. Some of those men who were there pitching their tent said they had voted, and were from Missouri; and a young man, whom I have seen before since in Missouri, said, as I came up, something about "All right on the goose;" to which I responded, "All right;" and then he said something about voting, and said that they had come over to vote; had made claims, and he reckoned they were legal voters. I told him I thought it was hard to find claims near here. He said they had just gone up on the hill here, (pointing to Pilot Knob,) and stuck stakes,

and said they did not care whether the claim was on any other claim or not. Their object was merely to make a claim in order to entitle them to vote, and they had done so. I then passed them, and went towards home. There were a good many persons camped around here at that time. It was a season when there are generally a great many persons camped about here, intending to go across the plains. There had been Mormons here, and I do not think they had all left at that time. I thought that three hundred men, armed with bowie-knives and revolvers, and eight hundred or one thousand more with hemp tied in their button-holes, came from Missouri, and that Missouri had run the thing into the ground that time. I thought all those who had hemp came from Missouri, from the fact that I knew some men from there that did have it. Malcolm Clark was here, and took the most active part in the election of any man here. He lived at that time opposite the fort, in the bottom, in Missouri. I had seen him at his home there, but had never heard of his moving over here. The greater part of the men here that day had hemp tied about them. I do not recollect that any residents in Kansas had hemp tied about them, but some may have had.

I heard a great deal of talking as I was passing about. I was frequently close to the house in which the election was held. They had a rope fastened to the building, or close to it, on each side of the window, and run back some forty feet, widening out, and I saw the hemp men crowding the lane. I saw tickets handed in and heard names called, but I did not notice anything about voting. After they had voted they passed usually on the west side of the lane, and I saw some men come out at the end by the window, go round and get in the lane, and come up again.

During the canvass there was nothing said about what constituted a residence here. There was difference of opinion among squatters about that matter. The pro-slavery party generally contended that if a man had landed here but half an hour he was entitled to vote; that his mere presence here made him a voter. I did not consider that as right. The greater part of the day there was considerable of a crowd about the polls, but not so much in the after part of the day. I did not vote myself, because I considered squatters directly insulted by Missouri, by taking our rights in voting away from us; I thought if I went up to vote I would be insulted, therefore might get into difficulty. I saw no fuss, or anything of that kind, except a great pressure about the polls. I think there was a majority of free-State men in this district; some from the west end of the district, that I knew to be free-State men, did not come in. Most every man that had the hemp had bowie-knives and one or two revolvers. They all seemed to think they had a right to vote; said that the candidates and the papers had told them so. I saw no fighting that day, or any one prohibited from voting. I saw a boat that was lying here that had come down the river, and she went up the river. I saw it coming down, but do not recollect as I saw it land. I saw a great many men on it, but I do not recollect as I saw any women on it. I do not recollect as I saw any hemp on the boat. I think more went up on the boat than came down on it. I had lived in Buchanan county, Mis-

sonri, but about twelve months, and do not recollect of seeing any from there over here. I do not recollect of having any conversation with any men who represented themselves as Missourians, except those I have referred to on the creek. I saw considerable many of my acquaintances of the district here that day. I think there were not many who went into the line the second time, so far as I saw at the time of voting. I saw some try to crawl under the rope, but they were prevented, and told to take their time. I would estimate the resident voters in this district, at that time, at some four hundred or five hundred, letting the district extend out as the governor prescribed it in his proclamation. The candidates that day were Captain Eastin, Mr. Richard Rees, for council on pro-slavery ticket; Mr. Twombly and another I do not recollect, candidates for council on free-State ticket. Mr. Mathias, Mr. Payne, and Mr. McMeekin, pro-slavery candidates for house of representatives; and Mr. France, Mr. Braden, and another I do not recollect, free-State candidates for house of representatives. Mr. Braden withdrew his name, in the midst of great acclamation, before the hour for voting. I should judge twenty-five or thirty, or forty, or fifty, came down in the boat on the day of the election. It remained here till tolerably late in the afternoon.

Cross-examined by Mr. Rees:

I was here the greater part of the day of election. The crowd around the polls the after part of the day was not so large as in the forenoon. I think I heard some one call out for more votes, at which time I did not see anything to obstruct the polls; and from about two hours by sun there did not seem to be many about the polls. I heard, in the fore part of the day, something said about letting all vote who desired to vote. I do not know of any having been prevented from voting on account of his political principles. I did not vote, but I saw no violence or resistance to any one's voting. I thought that the crowd with bowie-knives and pistols, and hemp about them, would knock down a man they did not want to vote. I did not see anything the after part of the day to prevent any one from voting. I do not know as there was anything to prevent any one from voting the after part of the day. I suppose all could have voted who wished to vote. I think I saw John Wells, of Rialto, on the other side of the river, here, and Mr. Washburn, who was concerned with him. I do not recollect the names of any others, and I do not know that these men voted. I do not know as I should judge the crowd with hemp with them were Missourians, except that some told me they were, and that I had seen some in Weston. Weston was not the principal trading point for the settlers for this part of the country, and I do not know of any who traded there. This town was the principal trading place. There were some here who I considered Missourians who had claims here, and who, I understand, now live on their claims, with their families in Missouri. I do not know that any of the men who came down on the steamboat voted that day. I do not know how many votes were polled after 3 o'clock that day. I do not know as I could say I saw any Missourians, whom I knew to be such, vote that day. I do not know how many revolvers and bowie-knives

I saw that day, but I saw a great number. Men who said they were free-State men have carried bowie-knives and revolvers; and it is a common thing for men of all parties to carry them here. I knew Malcolm (Clark) had had a house built—a house on a lot in town here, as I was told; but I do not know as he had refused to rent it.

F. A. HART.

LEAVENWORTH CITY, K. T., *May 17, 1856.*

F. A. HART recalled.

I saw Judge Almond here on the day of election, whom I understood to live in Platte county, Missouri. I saw him on horseback riding round giving directions as to how the ropes should be placed at the polls. I do not know that he lives in Platte county, but judged so from what I heard him say. I saw persons I had seen in Missouri go up to the polls with tickets, and heard names called, but did not myself see their votes given in.

Cross-examined by Mr. Whitfield:

According to the color of the tickets these men gave in, I judged they were pro-slavery tickets, because in the morning Mr. Panton, who had been appointed judge of election in the place of David Brown, observed to the voters to hold on, because the abolition tickets were of the same color as theirs, (the pro-slavery tickets,) and in a short time they would have tickets of a different color. In a short time after this other tickets, of a different color, were printed and brought on the ground, and the men I spoke of had tickets of that color. I do not know that I read the tickets, and cannot tell, from my own knowledge, what side they were for. I do not know of any Missourians voting the free-State ticket. I know several from Missouri that live here and are free-State men, and vote the free-State ticket. I do not know of any free-State men from Missouri on that day, except those who live here. I saw H. Miles Moore here that day, or the day before, and heard him make a pro-slavery speech.

To Mr. Oliver:

I understood Mr. Moore lived in Weston at that time. I did not know that he lived here, though I heard he was interested in town lots. I did not know that he was not a pro-slavery man, until the nomination of delegates to the State convention here. I came here myself a pro-slavery man, and voted for Gen. Whitfield at his first election.

F. A. HART.

LEAVENWORTH CITY, K. T., *May 19, 1856.*

T. A. MINARD testifies:

I came into the Territory in August, 1854, and have resided here since. I was at the election at Leavenworth, in the 16th district, on

the 30th of March. There was a large crowd here, 600 or 700 men. I knew a good many of the residents of the district. These were nearly all strangers. When I came into town, I unhitched my horses and fastened them to the wagon, and started towards the place where the election was held—the building of Mr. Wood, I think. I came up, and there were two ropes fastened to stakes near the building, and carried out so as to form a lane, some fifteen or twenty yards long, and that was crowded with men. I passed along outside of the lane, and on the east side of the lane I met a couple of men I was acquainted with—Mr. Cole Brown and his father; I do not recollect his first name. They live about three miles back of Parkville, Missouri. I have been at their house, and bought cattle of them. I spoke to them. I remarked, "You have come over to help us to-day with the election?" They said they had. I inquired of them if many of their neighbors had come, and they said 200 or 300 had come from their section. I then asked if they had voted; they said they had not, but they intended to vote, and were waiting for the crowd to get through. I passed on down there, to see what was the intention of our candidates. I met Mr. Twombly, candidate for conneil, and Mr. Browning, candidate for house of representatives. I inquired of them what they intended to do, and Mr. Twombly stated that his advice was not to vote at all; that there was no need of our voting, and there would probably be difficulty if we did vote. I did not vote, because of this advice. I never attempted to vote, but did not see or hear of any hindrance by violence. The men about the polls seemed to be voting as fast as they could. There was one man, I think Mr. Pantan, who stood at the door where they were receiving votes, and men came up and handed their votes to him, giving their names at the same time, and he took their ballots and handed them in, repeating their names. I saw a number of votes given in this way, and that is the way the votes seemed to be taken. I think Mr. Pantan was one of the judges. I could not say, positively, that it was Mr. Pantan, though he has been pointed out to me several times as Mr. Pantan. There were probably 100 to 150 about the polls. The ropes were crowded full, and there were little groups standing about. I think, probably, but 10 in 100 were citizens. Mine had been one of the first white families settled in the district, and I had ridden all over it, and had become pretty well acquainted in the district. The only man I recognised as a resident was Mr. Hyatt, who lived on Five-mile creek then, but now on Salt creek, and Mr. Pantan. There might have been more there, but the majority of these I did not know. There were several persons I had seen in Missouri, and recognised at the time; but the only names I could give were the two Browns. I recollect of seeing a boat land here, shortly after this, somewhere towards noon; I do not recollect the name of the boat, but my impression is, that it was the Clara. There was a young man from our neighborhood, named John Scott, who stood on the levee and handed the men tickets as they got off the boat. I recognised some of my acquaintances from Weston, Missouri, and spoke to and shook hands with them. The boat was pretty well loaded—between 100 and 200 men on it. There was music playing on the boat while she was

lying at the levee. The boat came down the river, and I recognised Mr. Wood, Mr. Walker, and Mr. Conger, who were citizens of Weston at that time. I presume they are yet. I saw none of them vote, as I did not go to the polls again. These men took the tickets Scott handed them as they came on shore; and, after stopping awhile, some one said, Let us go up and see how the election goes, and they started off towards the polls. I left the city that day between 2 and 3 o'clock, I think, and I think the boat was here when I left. A platform was raised down on the river, and several speeches were made there. John Doniphan, who was the representative from Platte county, Missouri, to the Missouri legislature, made a speech. Another man, whom I was told to be Judge Almond, said that they had carried the polls, and they could do it again, and that Missouri would wade knee-deep in blood before Kansas should be a free State. Mr. Doniphan made rather a mild speech. H. Miles Moore also made a speech of a moderate character, but a pro-slavery speech. He lived in Missouri at that time, I think, though he had an interest in this town. Col. Johnson, who lived here, also made a speech. All those men seemed to take it for granted that they had a right to vote, because, if a man was actually in the Territory on the day of election, he had a right to vote. The general expression was, that they had a right to vote. There was no violence here. There seemed to be a general good feeling. I saw no ——— here, more than is usual in this county. I thought we had a respectable majority of free-State men in this district, judging from what I had heard. I thought it would be a pretty close vote, but still that the free-State party had a majority.

Cross-examined by Mr. Scott :

I saw but two persons at the polls from Missouri that I can name now, but I do not know whether they voted or not, for I did not see them. At that time we had no towns or villages in the Territory. It was about the 15th of September, 1854, that I saw the Browns at their home in Missouri, and I believe they live there to-day. I do not know myself where these men have resided since September, 1854. In September, 1854, I lived in Kansas Territory, on Stranger creek, about a mile west of Stranger creek, on the Fort Riley road. I know one person who lived here on the 30th of March, 1855, who lived in Missouri in September, 1854—Mr. Langley; and I have no doubt there were a good many of these, as they were coming all the time at that time. My impression was that the actual votes of the district, at that time, were between 300 and 400, not to exceed 450 at all events. I live twelve miles from here. I was nearly all over the district, in two months before the election, hunting up my cattle, which had strayed away. There was considerable emigration coming in before the election, but few by steamboats, so far as I saw. I do not know positively that any man I can name voted on that day. The votes I saw handed in to the one I thought was one of the judges of the election, were handed in by persons I do not know, or cannot recollect. I was disgusted at the election, because I was satisfied, as soon as I came up, that Missouri had carried out her threat, and had come over to carry the election. I did not know those persons by name, except some

few I could have named at the time; but the two Browns are all I can call by name now. My knowledge of the district, and the members assembled here, and their appearance and language, convinced me that they were not residents of the district. They said they had come over here to carry the election; it seemed to be a generally understood thing in the crowd. It was not the free-State men I heard make these assertions. I did not see any man positively vote; and I do not know that any citizen of Missouri voted, except from their own assertions. I have heard residents of Missouri say they voted on that day at that election. The men I knew from Weston, Missouri, Mr. Wood, Mr. Conger, Mr. Walker, Mr. Neil Burgess, Mr. Dick Murphy, (now a resident of this place,) told me they had voted. I believe I knew that Mr. Conger, Mr. Burgess, and Mr. Walker, lived in Missouri at that time, because I have been backwards and forwards, and knew them to be residents of Missouri. I was in the habit of going to Weston weekly almost, and might have been there three days before the election; but I cannot tell exactly how many days before the election I was up there. I saw some of them land from the boat which came down the river; but Mr. Burgess came, I think, on horseback. They might have come from Kickapoo, or Atchison perhaps.

THOS. A. MINARD.

LEAVENWORTH CITY, K. T., *May 22, 1856.*

GEORGE F. WARREN called and sworn.

I emigrated from New Hampshire three years ago last November. I came into the Territory March, 1855. I was running as carpenter on board a steamboat between St. Louis and New Orleans, prior to coming here. I first came into the Territory at Leavenworth city. I was present at the election of the 30th of March in that district. It was held in a small building west of the Leavenworth hotel. The day before the election people began to come up the river and down the river from Weston, Independence, Lexington, and other parts of Missouri. I was then clerking at the Leavenworth hotel. The house was very much crowded by these strangers. They said they came there to vote. They said that the Emigrant Aid Society were sending out men, and they had as much right to come as they had, and were entitled to vote under the Nebraska bill. They did not deny that they came from Independence and other places in Missouri. They were armed with bowie-knives, revolvers, shot-guns, and rifles—principally small side-arms. One man I noticed, from Platte county, had a double-barrelled shot-gun, bowie-knife, two pistols, and a large cleaver, such as butchers use. The morning of the election the polls were opened between 9 and 10 o'clock. There was some delay on the part of the judges. Only one of the judges that were appointed served. There were about 1,200 people at the polls at that time. They put a rope round the polls at different places. A number of men came forward and introduced several men as captains of companies. They sang out, "Platte county boys, come this way,"

and "Clay county boys, come this way." They did not vote by companies. They rushed in together. I could not say that the crowd all voted. Some of the free-State men got together about 11 o'clock, and came to the conclusion not to vote any more. I think some 50 or 60 votes had then been polled by them. I saw no violence. The polls continued open until about dark. They were voting all day. These men voted for L. J. Eastin and R. R. Rees for council, and Mathias McMeekin and A. Payne for representatives. Three of these candidates, Rees, Eastin, and Mathias, resided in Leavenworth. McMeekin and Payne resided in Weston, as they told me before they came down. I had made charges against them at the hotel. One or both afterwards moved into the Territory. The free-State men withdrew because they were intimidated, and because they deemed the voting illegal in the presence of the force from Missouri. We contested the election afterwards. A protest was got up by the citizens, addressed to Governor Reeder. The steamer "New Lucy" came down from Weston with a large crowd of strangers on board, and colors flying. I think there were 200 or 250 on board. They claimed to reside in different parts of Missouri. A great many of them voted. Don't know whether they all did vote or not. They declared their purpose to vote under the Kansas-Nebraska act. They returned after dinner in the same boat. Other boats came up the river on the morning of the election, and one came up the night before, late at night. People were on board from points in Missouri down on the river. They said they were going to vote, and some of them I saw vote. A portion of the party that came the evening before stopped at our hotel, and it was so crowded that we had to put thirty in one room. At that time there were but few buildings in Leavenworth. It was laid out the fall before the election. There were about twenty frame buildings at the time of election. It is situated on what is called the Delaware lands. There were but few settlers there then; but emigrants were coming in fast. I knew most of the settlers in the town. If none but residents had voted on the day of election, the free-State party would have had a large majority.

G. F. WARREN.

LAWRENCE, K. T., *May 10, 1856.*

RICHARD R. REES re-called.

To Mr. Oliver:

I was present at the election of the 30th of March, 1855. I do not recollect of being present when Mr. David Brown resigned as judge of the election. I do not think I can state the relative strength of the free-State and pro-slavery parties in this district at that time. I recollect at about the time and prior to the election we were making calculations as to our chances of success, and we felt satisfied we had a clear and decided majority here, but I cannot now say from my own observation that there was a majority one way or the other. I was

satisfied there was a pro-slavery majority at that time of citizens living here, judging from the usual tests applied by candidates in canvassing the strength of parties. From consultations we had together, we came to the conclusion that there were from 75 to 100 majority in the pro-slavery party. Mr. McAuley had a memorandum at that time, and from that and other estimates I came to the conclusion I have stated. The election for this district for the members of the house of representatives was contested, and an election was held on the 22d of May following. I was not a candidate at that election, and don't recollect of estimates, but presumed that the relative strength of parties here remained about the same. The estimate I made in relation to the relative strength of parties, was of persons who resided in the Territory prior to the election. It was a general rumor and report at that time, spoken of generally and published in the papers, that the abolition aid societies were sending out large crowds to abolitionize this Territory, and that they were to reach here before the election, and that the boats were crowded with such persons. I saw a great many men—large numbers of them—here on the day of election whom I recognised as having been citizens of Missouri, and a great many of them I have recognised since as citizens of Missouri. I talked with a great many of them who were my old acquaintances. I heard reasons for their coming here given about that time, and I think on that day, and these reasons were that an effort had been made by a forced emigration to abolitionize this Territory, and they felt justified in using the same means to counteract it. The prevailing sentiment among those from Missouri was, that they came to that election merely to counteract the abolition movement, and that but for that they would not have come over here. I read some papers when I could get them, though we did not get papers very frequently at that time, as this was a new country, and mail facilities were not as good as at this time. The men who were over from Missouri in companies and parties, seemed to be actuated by the apprehension that this Territory would be controlled by this abolition emigration, as they stated to me in conversation. It was rumored generally that the day of election was known in the northern States before it was known here. These rumors I believed myself, and those with whom I conversed who were from Missouri said they believed it; the rumor was general.

I think the election here on the 30th of March, 1853, could have been carried for the pro-slavery party without assistance from Missouri. It was generally rumored here that there was a large number of emigrants at St. Louis, waiting to get here by the day of the election. I was not a great deal at the polls on the day of election. I was near enough to notice how it was conducted, and I noticed that there was less fighting and confusion than I had been accustomed to see at elections. There was a large crowd on that day, and upon consultation it was thought that the facilities for voting would be increased by stretching ropes from the window out, so that the voters could go in to the polls in regular order and then pass out. I am satisfied that was done not to prevent persons from voting, but aid them in voting. I was around in the crowd and saw no resistance whatever, or force employed, or threats against any man who wanted to vote. There

were pretty hard things said against abolitionists, but that was all. In the after part of the day the polls were clear, and I heard the judges calling out for more votes, and anybody could have voted who wished and was entitled to vote, whether he was an abolitionist or not.

To Mr. Whitfield :

I received a certificate of election as a member of the council from Governor Reeder, and took my seat there without any contest. We were informed by the governor, that Mr. Eastin and myself got our certificates as councilmen on account of the votes at Hickory Point, and not on account of the votes here. The affidavit of Phillips was sent up as a contest, but did not cover Hickory Point precinct. There were two representative districts in our council district—the 16th and a part of the 13th constituting the 10th council district. Mr. W. H. Tibbs, a representative from the 13th district, got his certificate on the Hickory Point vote.

Cross-examined by Mr. H. Miles Moore :

Of those who were here from Missouri on that day, I do not recollect of seeing any one vote. The position I took as one of the candidates, and which was assumed by a good many others, both on the stump and on the ground, was, that any man who was present at the election was, under the Kansas-Nebraska bill, a legal and competent voter ; that by the act of voting, he expatriated himself from the State from which he came ; and I proclaimed it, that any man who held any other doctrine was, in my opinion, either a knave or a fool. Prior to that time, I knew Abel Gilbert to be a citizen of Weston, and I have known him to be a citizen of Weston since. The following names I see on the poll-books are in the same position, as regards Platte county, Missouri : Dr. Thomas Baumont, A. T. Guthrie, George Quimby, now a citizen here, Wm. Dickey, Wm. J. Norris, R. W. China, now a citizen of this Territory, Wm. B. Almond, W. Christerson, now a citizen of this Territory, Smith Calvert, N. A. Wilkinson, Jesse Vineyard, George W. Dye, John D. Harper, Wm. A. Galbott, Jacob Pitts ; I know Captain Conolly, of the New Luey, but not his first name ; Joseph Holliday, Harvey Bunch, Michael Bunch, and John B. Wells. I think there were altogether 1,000 or 1,200, perhaps more, men on the ground that day ; and some from Platte county, Clay county, and Chariton county. I saw a crowd here who claimed to be from Chariton county ; Squire Hyde was here from Chariton county. I think there were some here I had known in Clinton county, and also from Carroll county, and from Ray county. I saw companies of men here who claimed to have come from Missouri, who had their tents, wagons, and provisions with them. I think that within this district, and living here the 30th of March, 1855, upon a rough estimate, there were from 400 to 500 ; there may have been more, and there may have been less.

To Mr. Howard :

I think, from the best information I could get, there were from 75

to 100 majority in the pro-slavery party who lived in this district prior to that time. It was generally understood, that if our friends would come over here from Missouri and help us to counteract the movement of the aid societies of the North, they would be very kindly received. I do not recollect of any circular for that purpose, though there may have been; I recollect we kept our friends in Missouri pretty well advised so far as we knew, but I do not recollect any special person sent over for that purpose. I recollect of a boat coming down from Weston on that day with some men, but I do not recollect her name; I know of no William Connolly, who resides in this district, though there may be. I think that the Missourians who came here came in consequence of counteracting the abolition movement of the North, and those who voted, voted with that understanding. I know that Mr. McAuley was over at the circuit court in the year 1855, but I do not know what he went for. I think I heard several Missourians state that they had voted on that day, and for the reasons I have stated; I do not recollect of hearing any other reason assigned. I think there were but two or three boats here from St. Louis by the 30th of March, 1855; but I do not recollect of there being a large number of eastern emigrants landed here, and I did not see many eastern emigrants newly arrived here by the day of election; and as far as this district is concerned, I do not think many were here. We understood they were coming, and expected them at every point; I cannot say how many had arrived here at that time. I heard many of the Chariton county men say that they intended to vote, for the reason that they construed the Kansas-Nebraska bill as I did; some of them said they came here to vote.

By Mr. Oliver:

The Chariton men said they came here to vote to counteract the influences brought to bear by the Emigrant Aid Societies, as they understood many to be on their way here to be at the election. The names given by me from the poll-books I do not know as being the persons I knew in Missouri, though the names are the same. I cannot undertake to say that they voted at this election except from the poll-books. The name of C. M. Burgess is on the poll-books. Mr. Burgess claimed his residence here as early as the fall of 1854. I understood he had a farm and negroes in Platte county, but he had a claim in the Territory. I am not aware whether his family are here or not.

By Mr. Whitfield:

I saw no one vote here that day I did not consider a legal voter. I do not recollect of seeing any free-soilers here from Missouri. I cannot say that I saw persons here from the eastern States whom I did not recognise as living here before.

[Whitfield objects to the question propounded to R. R. Rees in reference to the residence and right of the named persons to vote, for the reason—

1st. That witness does not know that any one of the persons named voted at all.

2d. Witness does not know them to be the identical persons whose names are upon the roll before the committee.

3d. They are competent witnesses themselves, and are within reach of the process which the committee have a right to issue.]

RICHARD R. REES.

LEAVENWORTH, K. T., *May 19, 1856.*

ALEXANDER RUSSELL called and sworn.

To Governor King :

I came here on the 9th of June, 1854, and have resided here ever since. I was judge of the last election, at which Whitfield was elected, October 1, 1855. I was present at all the elections since I removed here. At the October election the voting was conducted legally, and, so far as I know, no illegal votes were given. I was present on the 30th of March election, and the character of that election was about like all other elections that ever I attended, and was as quiet as any I have ever been at anywhere. I did not see men voting who I thought were not entitled to vote. There were a good many people here that day, and, in order to promote the voting, they made a passage in front of the window by the use of ropes, to prevent crowding, and the voters passed through in single line. I went up to vote several times, and in consequence of other men, some of whom I knew to be resident citizens, I gave way until they had voted. I saw no disposition to crowd to the polls. Tolerably late in the evening I heard some persons at the windows calling for more votes. At this time the crowd of voters had generally dispersed. I have an extensive acquaintance in the district, being one of the first in it. If any illegal votes were given that day, I feel confident that the result would have been the same, and I do not know as any illegal votes were given. It has always been my impression that the pro-slavery men had a large majority in this district. I have frequently made estimates which have satisfied me of this fact. The census taken by Dr. Leib was in very cold weather. At the time it was taken it may have been correct, but after the census was taken, and prior to the election, a great many settlers came in, and who have lived here ever since.

To Mr. Sherman :

I saw a good many of the citizens of Missouri over here on the day of election. I do not know whether or not any of these men voted, but I heard some of them say they had not and would not vote. There may have been some voted, but I did not see them.

ALEXANDER RUSSELL.

LEAVENWORTH CITY, K. T., *May 29, 1856.*

PATRICK R. ORR called and sworn.

I live about fifteen miles from here on the west side of Stranger creek, in this district. I moved my family here to the Territory on the 15th March, 1855, from Platte county, Missouri, where I had lived about ten years.

I attended an election in this town on the 30th March, 1855. On the day of election, and some two or three days previous, I had been over the river in Missouri, on business. I reached here about twelve or one o'clock, and crossed the ferry at Rialto, between Weston and the Fort. There seemed to be a good deal of business done by the ferry in the evening. I crossed over there in the evening, nearly at twelve o'clock.

I was around the polls, and in the vicinity of the polls, after I arrived here. I voted the free-State ticket that day. At the time I voted, there was not a large crowd. When I came in here, it was about dinner time, and there were a number of groups of persons that appeared to have their meals spread on the grass, and were eating their dinners. There were hardly any persons about the polls then, and I think the polls were not open when I came in here. I was absent some two hours, to a house of a friend, who lived some two miles from here. I then came back, voted, and returned to Platte county, to attend to business there which was unfinished. I recollect of seeing a boat lying at the landing just below Weston, but do not recollect of seeing it here. I was in Weston just before I started to come down here, and I saw a number of gentlemen who said they were fixing to come down to this election here, and the boat was just coming out as I left; but I do not recollect of seeing it when I got here.

There appeared to be considerable of a crowd on the boat when I left. I do not recollect the names of those I heard say, in Weston, they were coming here. I saw many persons here, I thought were citizens of Platte county, on that day, and I had some conversation with some of them about voting—but little, however. I think there were probably five gentlemen in a group, acquaintances of mine, whom I asked how the election was going, and they said it was going finely. I asked them if they had voted, and they said all but Mr. James Rees, and he could not be screwed up to it, and they thought his conscience had got a little tender, and they could not get him to vote. They did not express themselves as to their right to vote, as I now recollect. These gentlemen were Mr. Stockwell, Mr. Cavanaugh, and Mr. Rees. The others I do not now remember. Mr. Stockwell and Mr. Cavanaugh lived northeast of Weston, some six or seven miles. I never heard of these men residing in this district, and I have seen them living on their farms in Missouri since that time.

Cross-examined by Mr. Scott:

My family were residing at the time of the election about fifteen miles west of this, and near Stranger creek. I do not recollect the number of days I had been in Missouri previously to the election; but

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it was some days, to settle up some business, and I returned to Missouri on the day of election.

I do not know how long it had been since I saw Mr. Stockwell and Mr. Cavanaugh actually residing in Missouri. I know that these men lived there on the day of election, exactly where they live now, and I know that of my own knowledge. I knew it, because I had seen them from time to time, before and after the election, working on their farms and about their buildings. I do not know which way the boat went from Weston that day, for I do not recollect of seeing it after it started. I know the ferry had a good deal of custom in the evening, because I saw a crowd of men there, and saw them go over. I saw about one hundred men and horses, and about nine wagons—as many men, horses and wagons as could conveniently get on the boat—cross over when I did. I saw no other load go over except when I went. I did not see and do not know of any other loads going over that evening. There were but few persons about the polls when I voted, and no one objected or offered any hindrance to my voting.

PATRICK R. ORR.

LEAVENWORTH CITY, K. T., *May 22, 1856.*

LUCIAN J. EASTIN testifies:

To Governor King:

I reside in Leavenworth city, and have done so since October, 1854, and was present at the 30th of March election, in 1855, for members of the Territorial legislature, and was a candidate at that election for the council. I was not much about the polls on that day. Every time I was at the polls, or in sight, the election was going on quietly and persons voting without difficulty. There were frequent calls during the day for more voters. I saw a good many Missourians here at that election. I do not recollect whether they had hemp badges or not. I think I saw one man, a wild, rattling, drinking fellow, with a piece of hemp around his hat. I did not see any votes given in on that day but such as were legal, so far as my knowledge extends, but I do not pretend to say that illegal votes were not given. Being a candidate, I was all over the county, and in the district. I was very conversant with the voters of the district, and think I know pretty near about the strength of parties. Our estimate was about two to one in the tenth council district in favor of the pro-slavery party. In the sixteenth representative district we made it about one and a half to one. There was a protest filed against the election in this district, setting forth that the free-State men were deterred from voting; I believe there was no ground for it. I believe that no one was deterred from voting, either by force or violence; and Mr. Phillips, one of the signers of the protest, and the man who made the oath, explained it to me, that he was not afraid of violence or force, but believed that Missourians would carry the election, and that was what he meant by being deterred. The conduct of the Missourians and

pro-slavery men was of a character to prevent no one from voting who wished to, whether legal or illegal. I, as a candidate, (nor do I know of any others who did,) did not invite or procure Missourians to come here on that day to vote. I did not want them to come, for I believed and said we were strong enough to beat the free-State men easy, with the legal voters of the district. I heard a great many of the Missourians who were here at that election say that the Emigrant Aid Society was importing voters into the Territory to abolitionize it, and that they were determined to fight the devil with fire; and that their object in coming here was to counteract the efforts of what they understood to be the aid societies. The general rumor, both in the Territory and in the border counties of Missouri, was that voters were to be imported here into the Territory, for the purpose of carrying the elections in favor of the free-State party. It was reported the night before, and on the morning of the election, that there were 300 voters from the northern States who would be here that day.

To Mr. Sherman:

It is my opinion that a good many of the votes cast at that election were cast by non-residents. I don't know whether or not all the free-State men voted that day. There were about sixty or sixty-three free-State votes cast at that election, and there were, in my opinion, more than that number in the district. I think one of the free-State candidates declined. He was here, and I heard him give some reasons for declining, but I forgot what they were; but I do not think the reasons he gave were that he had been unfairly dealt by. The 300 emigrants I have alluded to did not arrive, nor any portion of them. I have a list, made before the election, of voters in the district. I think there are nearly 400 names on the list. This included some who had made claims in the district, but had not moved on to them, and of these I think the pro-slavery party had about one and a half to one. Mr. France, Lewis N. Rees, and George B. Pantan were the judges. Upon reference to the proclamation, there were France, Posey, and Brown, but I think Rees' name was substituted for Posey by the governor. I do not think France signed the returns. I don't think he challenged a voter; he told me he did not, and gave some reason, that it was no use, or words to that amount. I don't remember exactly, but he remained there during the whole time of taking the votes. I remember seeing the "New Lucy" coming down that day from Weston, Missouri, with a large number of persons on board, and returned the same day. The list I speak of as having, may be of the first election. I will look for the list and produce it, if I get it.

L. J. EASTIN.

LEAVENWORTH CITY, K. T., *May* 29, 1856.

A. T. KYLE called and sworn.

By Mr. Sherman:

I came into the Territory in June or July, 1854. I came from Platte

county, Missouri, since 1839. I settled in this city, and have resided here ever since. When I first came here I was one of the keepers of the Leavenworth hotel. The election of the 30th of March, 1855, was held near my house. I have seen H. J. Wolfe, clerk of the court of common pleas in Weston, Missouri. The following persons I know to live in Missouri: John B. Wells, Franklin Yocum, James Doniphan, who I think is a lawyer; Wm. Dicky, Joseph Nowers, C. E. Woolfolk, Jesse Vineyard, Joseph Murphy, George W. Dyer, J. C. Cockrill, Samuel Fernandis, Frank Gilbert, Harvey Bunch, H. Miles Moore, N. B. Brooks, John B. Harper, W. T. Woods, Joseph Holliday, and W. A. Newman. These men, to the best of my knowledge, lived in Weston at the time of the March election, 1855. I think the steamboat New Lucy came down the river that day. I saw some of the men I have named here that day, but whether they came on the boat or not I do not know. I did not vote myself that day, because I was very busy, and I saw many persons here that I thought had no right to vote, and I thought I would not vote. I don't know whether they voted or not. There were a great many here who were not citizens, to the best of my knowledge. They came around the polls. I know Samuel J. Finch, editor of the Weston Reporter. He has never resided in this Territory, as far as I know. There are names on the poll-books, and I know persons living in Missouri whose family names are the same, but whose first names I do not know, and I have not included them in the list above.

To Governor King:

I did not pay much attention to the election that day; was but little about the polls, and not at them at any time.

Q. How is it that you saw persons around the polls who were not citizens when you were not there, and when you state that you do not know at what place the election was held on that day?

A. I never went right up to the polls to vote, but I was where I could see the polls, and see persons around the polls. To the best of my knowledge the polls were held at the Leavenworth hotel, in this place. The window where the votes were received at the Leavenworth hotel was at the south end of the building. This was the 30th of March election.

A. T. KYLE.

LEAVENWORTH CITY, K. T., *May* 30, 1856.

A. T. KYLE recalled.

I wish to correct my testimony in this particular: The election of the 30th of March was not held at the Leavenworth hotel, but at a little building about one hundred yards from the hotel. It was the election of the 29th of November that was held at our hotel. Come to think of it, they applied to hold the election at our hotel, but we declined, as we feared some disturbance.

A. T. KYLE.

ADAM FISHER called and sworn.

To Mr. Sherman :

I came into the Territory in October, 1854, and settled in this town. I came from the State of Illinois. I was here at the election of March, 1855, and at that time was well acquainted with the citizens of the town. I first noticed the gathering of strangers here the evening before the election. I was merchandising at that time, and did not go out around much to see what was going on, but some men, who said they belonged to companies that were outside of town, came into my store. I did not converse particularly, except with one gentleman, and he told me that he had come over from Cooper county, Missouri, to vote. He asked me what my politics were, and I told him I was in favor of making Kansas a free State. Then he asked if I wasn't afraid they would kill me, and I told him I guessed not. Then I told him what my policy was, and he told me, if that could be the case he would go in with me. He then bought some little articles and went out. He gave me to understand that they had companies, but I did not ask him how many there were in them. There were a great many men, apparently, around town that night; they were firing pistols and guns, &c., all night. I heard of no fights and troubles that night. The place of voting was about one hundred yards from my store, and I lived on the adjoining lot to my store. The evening of the election there was a large crowd of people in town. I don't recollect of seeing a very large crowd of people collected around the polls, but they were around in the neighborhood. I did not think at the time they were unusually noisy. Malcom Clark told me that the captains of the companies said they had done everything in their power to keep order, and we relied a good deal upon him. I understood that Clark lived in Missouri. He had an interest in the town; he had dealt with me and had been friendly. I am not positive, but I think I voted that day. After the election this crowd dispersed. I don't know that I ever saw them afterwards. I don't know whether these strangers voted or not, as I was not about the polls. I am not acquainted in Missouri. I did recognise the people about the polls as citizens of the Territory; I had not seen them before; they were strangers to me. I was not well acquainted outside of this town, and these strangers may have been residents of the district; if so, I have never seen them since.

To Governor King :

I believe Malcom Clark is one of the original proprietors of the town. He built a house on the outskirts of the town. He was here off and on, looking after his interests. He said he was going to move here and make this his home. As far as I knew, everybody was allowed to vote that wanted to. My impression is that I voted that day; but if I did not, it was not for the want of opportunity.

ADAM FISHER.

LEAVENWORTH CITY, K. T., *May 30, 1856.*

J. H. DAY called and sworn.

To Mr. Matthias :

I came into this Territory on the 11th of October, 1854, from St. Paul's, Minnesota Territory. I was present at the election of March 30, 1855, at this place. I was about the polls and town the most of the day. The polls were held on Cherokee street. They were opened in the morning. There was considerable of a crowd here, and some persons acted as a kind of committee to arrange for the voting to be carried on as quietly as possible. Ropes were carried out from each side of the window so as to form a lane, in order to prevent the polls from being too much crowded, as I understood, at the time. I attempted to vote myself the fore part of the day, and got into the lane and up to the window, but found I was on the outside and could get no chance to vote. I slipped out under the rope without voting, and did not till the after part of the day ; and when the polls were clear, I saw no fuss or riot, and saw no men prevented from voting, except by the crowd in the morning. The election passed off quietly ; more so than I have seen at elections before. I heard the judges crying out in the afternoon for more voters. The polls, I think, were closed in the evening, and the people went home without any unusual excitement. I was tolerably well acquainted with the people in this portion of the district ; and from all the knowledge I had upon the subject, and from a pretty close count that we made at that time, I should judge we had something over three hundred voters in this district. There was considerable difference of opinion between the pro-slavery and free State parties, as to who had the majority. The matter was considerably canvassed ; and from reports I saw, the district was shown to contain something over three hundred voters, of which the pro-slavery party had from sixty to ninety majority. That was before the March election. From that time to the election quite a large number of settlers came into the district.

Cross-examined by Mr. Howard :

I have no idea how many settlers came into the district before the election. Public rumor was, that an immense crowd were to be here by the election. I cannot tell how much this district increased. Many from Missouri, who had claims here, had been in Missouri to pass the cold weather, and returned in the spring. This list I have referred to was being made up to within a few days of the election, and was the one that Mr. McAuley testified about here.

To Mr. Matthias :

Actual settlers came into the district up to the time of the election ; and, I suppose, by that means the pro-slavery majority was increased.

J. H. DAY.

LEAVENWORTH, K. T., May 31, 1856.

D. J. JOHNSON called and sworn.

To William G. Matthias :

I came to this Territory on the 17th of February, 1855, from the State of Georgia, and have resided in Leavenworth ever since. I was present at the election of the 30th of March, 1855. The polls were opened at the usual hour; and when they were first opened there was quite a crowd around. Ropes were stretched out from the road, so as to form a lane for voters to come up in, that voting might be facilitated. To draw off the crowd, public speaking was proclaimed to take place on the levee. After that there was no time in the day when the polls were again crowded, and the election passed off in an orderly and quiet manner. I saw no arms more than usual. I saw none but some side arms, which were usual here at that time. Most of men in this community carry side arms on all occasions. I never saw in the old States a more quiet election than that was. If any persons had any hemp badges on that day it escaped my notice. I was about the polls and among the crowd all day. If any man of either party failed to vote that day, it must have been from choice or false timidity. I heard calls for all who were desirous to vote to come up and vote. I was tolerably well acquainted with the voters in the district, and had made it my business to become acquainted with them, and learn their political views. Most of the residents I knew here voted; though some in town did not vote, I think. At that, I think, in this district, the pro-slavery party had a majority of some eighty votes. When my estimate was made, it was about the time of the nomination—some ten, fifteen, or twenty days before the election. After that estimate was made, I think there were twenty, perhaps more, increase of pro-slavery majority. Richard R. Rees and Captain Eastin for council, and William G. Matthias, Mr. Payne, and Mr. McMeekin were the pro-slavery candidates for the house of representatives. I do not recollect the different candidates of the free State ticket. Mr. Braden and Mr. Twombly, I think, were candidates. Mr. Braden declined running that day; but I do not recollect of hearing any reason for so doing. The polls were held on Cherokee street, in this city.

Cross-examined by Mr. Howard :

At the time of the pro-slavery nomination there was a majority of eighty, I think, and some one hundred by the time of the election. Some men in town took pains to find out the names and political sentiments of the minority of this district. I think this was done with a great deal of care and thoroughness by Mr. McAnley, with the assistance of others. This was some fifteen or twenty days before the election. Men in Missouri had claims here, and moved over here before the election to settle on their claims, and I judge that by that means the majority of the pro-slavery party here was increased about one hundred. This is my opinion merely, and is not based, like the other estimate, on any calculation.

To Mr. Matthias :

I knew H. Miles Moore on the 30th of March, 1855, and am pretty certain he claimed to be a resident of the Territory, and so represented

himself to me at the nominating convention, some two or three weeks before the election, and received the nomination. I myself was the president of that nominating convention.

D. J. JOHNSON.

LEAVENWORTH CITY, K. T., *May* 30, 1856.

MATT FRANCE called and sworn.

By Mr. Sherman :

I came into the Territory in November, 1854, from Indiana, and settled in this place. I was appointed one of the judges of election of the 30th of March, 1855; L. N. Rees and Mr. Brown were also appointed. There were persons who tried to persuade me not to act as judge on that day. C. Cockrell, of Platte county, Missouri, was one, and several others spoke to me. I don't remember that any other residents of Missouri spoke to me except Cockrell; he said I had a brother who was a candidate, and it wouldn't look well; I told him I wouldn't resign on that account, and he replied that threats were made, and he thought it would be dangerous for me to serve; I told him I could not help it, and would serve now any how. Mr. Rees proposed that we should all resign, as we could not go on with the election unless we let all vote who came here. The idea he expressed was that we would have to let them vote or they would use violence. I concluded not to resign, and Rees said he would not resign unless I did. Brown resigned the morning of the election.

The conversation I have referred to was the evening before the election. Mr. Rees and myself met at Mr. Keller's hotel, the place appointed for the election. Mr. Keller objected to its being held there, and we adjourned to Wood's saddler shop, a short distance off. I took the oath prescribed by the governor. Mr. Rees declined to take that oath, but took one of a different character. We appointed George B. Pantou to fill the vacancy occasioned by the resignation of Brown. He took the same oath that Rees took, refusing to take the oath prescribed by the governor. We opened the polls and proceeded to take votes. I think I challenged the third vote offered that day, on the ground that I did not think him a resident. I asked him where he resided, he replied that his family resided in Saline county, Missouri, that he came into the Territory the day before, and intended to go back home immediately after the election. I then insisted upon swearing him before I took his vote. The other judges decided that we had no right to swear any man, that every person on the ground was a legal voter. They would not administer the oath, and received the vote. I objected, and told them that I should insist upon every man being sworn whom we did not know. They objected to it, and continued to take votes over my head. Everybody who applied to vote that day voted, except some Delaware Indians. The Wyandotts voted. There were a great many, probably several hundred, who voted that day that I did not know and believed them to be residents of Missouri. Pantou, one of the judges, seemed to be acquainted

with a good many of them, would talk to them as an old friend, and would ask them where they came from, and they would mention from different counties in Missouri. Mr. Panton then resided at the fort on one of the farms. I think the free State men generally that day did not vote. I was acquainted with them generally. There was a large crowd around the polls in the forenoon, but in the afternoon the polls were clear, and any one could have voted who wanted to after three o'clock that afternoon, when the crowd commenced to disperse. I did not vote. I did not consider anything legal about it, but remained to see the thing through. I signed the return after scratching out the words "lawful resident voters." After counting out the votes, we proceeded to make out the return list. I objected to signing the return unless those words were stricken out. After some discussion between the judges, we all signed the return in the same way. They decided that all who were on the ground were resident voters. Lewis N. Rees, the judge, is a brother of Richard R. Rees, the councilman elect. About ten or eleven o'clock the steamer New Lucy came down from Weston. There seemed to be a crowd come to the polls soon after her arrival, but I do not know whether they came from the boat or not. That crowd all voted. The New Lucy was billed to return at four o'clock in the afternoon. Did not notice when she left, but she was gone in the evening when we adjourned the polls. I saw a number of camps below the town the night before the election. A number of the persons on the day of the election had small bunches of raw hemp either in their button-hole or on their hat, twisted in their beards or around their waists. Most of them wore the hemp in their button-holes. I noticed a great many, but I cannot say how many. There were no disturbances that day except the crowding. Ropes were stretched to facilitate voting, and no one was allowed off the ropes, except in two or three instances where the crowd would point out some one as their captain, and request that his vote be taken outside the ropes. The total number of votes cast that day 964, over 50 of them were Wyandott Indians.

To Governor King :

I held on as judge of the election after I found that the election was not to be conducted according to the instructions of the governor, because I wanted to see how it was conducted, and such I believed to be my duty. I told them at the time that I would not sign the returns. The men with badges wore different kinds of hats. I carried the returns to Governor Reeder, and told him verbally the facts I have stated.

MATT FRANCE.

LEAVENWORTH CITY, K. T., May 31, 1856.

WILLIAM H. ADAMS called and sworn.

To Governor King :

I came from Missouri to the Territory, and settled in Leavenworth City in August, 1854; I was among the first here and knew a great

many of the settlers, and was here at the election on the 30th of March, 1855; I saw several Missourians here on that day, and think I know the inducements which brought them here. For about a month or six weeks previous to the election a general rumor prevailed among the free State men in this place that a large number of eastern emigrants would be at the election—this before we knew when the election would be, and before the proclamation was published. It was rumored that it was known in the east that the election would take place here before we knew it ourselves; and that there would be a sufficient number of emigrants here to elect the free State ticket. It was also rumored, and believed by the people here and by the people in Platte county, Missouri, that this was the work of regular organized societies in the eastern and northern States. Owing to those rumors, as they said, they came over at that election, or about that time. I never heard any threat that they intended to take control of polls, or to take the election out of the hands of the *bona fide* residents. They said that they came over here to offset the votes that might be shipped up here by the Emigrant Aid Society. The first notice that ever I saw giving the time of the election was in the *Boston Atlas*. I stated that it would be on the 22d of March. We received the notice, and gave it to the public through the *Kansas Weekly Herald* about two weeks previous to the election. I think we had some three or four hundred majority in this election district if no Missourians had voted. I think the election was conducted orderly. I saw no badges except one or two hemp badges on the hat; one of whom was a Wyandott, and one was a white man. I was here when Felix G. Braden declined being a candidate of the "free State party." He said he was in favor of making this a free white State, but that he had made the canvass of this district and was thoroughly convinced that it would be utter folly for him to run; that the proslavery party had a large majority in the district. He said he would prefer seeing it a "free white State," but that he did not want to see it an abolition or a free soil State, that he was neither himself. He said by running, it would cause fathers and sons to have hard feelings, and cause contention, and for that reason he would not run. H. Miles Moore, whose name is said to be on the poll book, and who was said to be a Missourian, voting here, was in the Territory at the time of the election and before; he was a shareholder here in this town, said this was his home, was here at our nominating convention, made a speech, and sought a nomination as candidate for a legislative office, but was not nominated. I heard no one dispute the legality of his citizenship. I looked upon him in the same way that I looked upon many others who had property, and lived here most of the time. He had no family or property that I know of in Missouri. He staid at Weston a portion of the time; said he intended to move here and stay here all the time as soon as he could get an office here.

To Mr. Sherman :

Mr. Braden withdrew the day before the election at about eleven o'clock. He made a short speech at the Kansas house; he said he did not want to run as a candidate, and wanted his name off. There

were a good many people in the town at that time, say 250; there was public speaking by the candidates in the town that day. It was rumored that there would be several hundred emigrants at our polls on the 30th of March, and this induced the Missourians to come over. The eastern emigrants did not arrive that day. I cannot explain why the Missourians voted, and I do not know how many did vote. I know, as a matter of fact, that a great many of those eastern emigrants came up in a few days. They told they were eastern men, and were generally Massachusetts emigrant aid men. They returned a few days afterwards, and told me that they came here just to vote, and did not intend to settle. They did return. I was one of the proprietors of the "Kansas Weekly Herald" at that time, and am now. I was here at the time Phillips was taken across the river in May. I decline to say what occurred there on the ground that it may implicate me.

WILLIAM H. ADAMS.

LEAVENWORTH CITY, K. T., *May 31, 1856.*

A. MACAULEY called and sworn.

To Mr. Sherman:

I came into the Territory on the 23d day of November, 1854, from Iowa. I know Frank Marshall, member of the legislature from Marysville, as I understood. I am acquainted with a man known as Judge Almond, living in Platte City, Missouri. I never was in Missouri to induce people to come here to vote, unless they had a right to. A number of persons had claims in this immediate vicinity, and were temporarily absent in Missouri. Shortly before the census was taken ordered by Governor Reeder, I notified persons who I thought ought to have been taken in that census that I thought they had better be on their claims, so as not to be overlooked by the assessors. This notice was without regard to party. I was in Missouri at another time, before the election of the 30th of March, and at Platte City during the sitting of the circuit court. On that occasion there was a meeting of citizens, and several speeches were delivered; among the rest, I was called, and gave them the best turn I could.

The object and purpose of that meeting was to discuss the affairs of Kansas. The subject discussed in that meeting bore upon the subject of the coming election and the affairs of Kansas generally. I did make a list of what I considered to be legal voters in this district, and took a good deal of pains with it, prior to the election of the 30th of March. I included in this list none but those that I considered settlers on the soil. It was for the purpose of giving information to the pro-slavery party and to satisfy my mind. I now have in my possession, and in my hands, the list of voters made by me.

Question. Please either furnish a copy of that list or allow one of our clerks to copy it.

[The witness desires time to determine whether he will allow it to be copied.]

Witness resumes: The number of names on the list is 305. I estimated 112 to be free State men and 192 to be pro-slavery men. I gave general information of these facts to my party and friends, and I called in others to assist me, and, among others, Mr. Payne, one of the candidates. I have made on the list my own private marks, to designate the two parties. In this list there are a great many who are doubtful, and all those I have put on the free State side.

By Mr. King :

At the meeting of Platte City subjects were discussed of the affairs of Kansas and opposition to the Emigrant Aid Society. It was generally the belief, as expressed in the speeches, that the Emigrant Aid Society was importing paupers into Kansas to control elections in an unjustifiable and extraordinary manner, and to make Kansas a free State. The majority of the speakers, and I think myself among others, took the ground that the object of the Aid Society was to make a thrust at the institutions of Missouri. This was the pro-slavery sentiment of the people at the meeting. They expressed themselves that, if Kansas was made a free State, it would be through these societies, and, if they succeeded, they might as well give up every nigger they had in the State.

This list I have was the best one I could make. It was taken about the time the census was taken, and about the time I notified the settlers that they had better be on their claims. After this list was made, and before the election of the 30th of March, a great many additional settlers moved into the district, and how many I have no means of knowing.

I was present in this place on the 30th of March. That election was a good deal like other elections. I am satisfied that no person was prevented from voting. I was satisfied of the strength of parties before the election as well as afterwards, and think that the pro-slavery party increased considerably before that election, and after my list was made. I do not believe there has ever been a time when the pro-slavery majority has been less than one hundred in the district. At the polls on the day of election the ropes spoken of by the witnesses were drawn to give men an opportunity to vote at the polls in two diverging lines, so as to afford an easy access for voters. Men were appointed to see that voters should be admitted, and to keep order.

[The witness here states that he will furnish a copy of the list. The marks designating the political opinions of men will be explained in the copy.]

At the meeting at Platte City it was a cause of complaint that Reeder was delaying the elections to give the eastern emigration time to arrive, and I think it was also charged at that meeting that Greeley, of the New York *Tribune*, knew when the election would come off before we here in the west did, and this had a tendency to produce excitement among the people.

A. MACAULEY.

LEAVENWORTH CITY, K. T., May 30, 1856.

List of Voters in the Sixteenth District, by A. Macauley.

J. Chappel.....	D.	Joel Walker.....	P. S.
— Ames.....	F. S.	Wm. Walker.....	P. S.
J. Snider.....	F. S.	Math. Walker.....	P. S.
D. Dawson.....	F. S.	Mr. Daphelmyer.....	P. S.
Mr. Larkerman.....	F. S.	Rue Dennis.....	F. S.
John Henderson.....	P. S.	Mr. Soyler.....	P. S.
Mr. Henderson.....	P. S.	John Randero.....	P. S.
J. M. Turner.....	P. S.	F. Hicks.....	P. S.
Chas. H. Allen.....	P. S.	Mr. McClane.....	P. S.
F. A. Roberts.....	P. S.	Q. McClane.....	P. S.
Wm. Bohart.....	F. S.	John Anderson.....	P. S.
John Pancake.....	P. S.	Mr. Huggins.....	P. S.
Thomas Hickman.....	F. S.	N. Kirk.....	P. S.
Mr. Sympho.....	F. S.	Alex. Russell.....	P. S.
John Scott.....	P. S.	J. Russell.....	P. S.
A. J. Scott.....	P. S.	J. Thomas.....	P. S.
J. Moore.....	P. S.	Mr. Mize.....	F. S.
Mr. Narville.....	P. S.	Mr. Mize.....	F. S.
Mr. Hoppur.....	P. S.	Isaac Cana.....	F. S.
Mr. Dawson.....	P. S.	G. X. Young.....	F. S.
— Minard.....	F. S.	J. Young.....	F. S.
Unknown.....	F. S.	Z. Gruning.....	D.
Neighlor.....	F. S.	P. Taylor.....	P. S.
S. Sparks.....	F. S.	H. D. McMeekin.....	P. S.
N. Sparks.....	F. S.	Passon Smith.....	P. S.
S. Sparks.....	F. S.	Cole McCren.....	F. S.
J. Sparks.....	F. S.	J. Bickum.....	P. S.
Mr. Elliott.....	P. S.	Mr. Bickum.....	P. S.
— Neighlor.....	P. S.	James Chance.....	P. S.
McMurtry.....	P. S.	C. Cruch.....	P. S.
John Right.....	P. S.	Mr. Rom.....	D.
Samuel Burgess.....	P. S.	C. Menden.....	D.
John Burgess.....	P. S.	C. M. Burgess.....	P. S.
Wm. Borden.....	P. S.	J. Rice.....	P. S.
Ed. Brown.....	P. S.	Hyats Nand.....	P. S.
Niles Shannon.....	P. S.	— Curman.....	F. S.
F. Shannon.....	P. S.	— Hipple.....	F. S.
G. Secin.....	P. S.	H. Lang.....	P. S.
C. Hammond.....	F. S.	L. Hurds.....	D.
J. Renfro.....	P. S.	S. McCray.....	P. S.
G. Thompson.....	P. S.	John Usry.....	P. S.
John Renfro.....	P. S.	Mr. Stafford.....	P. S.
J. Pyhs.....	P. S.	Lynnan Astor.....	P. S.
— Pyhs.....	P. S.	Riley Ladd.....	P. S.
Mr. Stewart.....	P. S.	J. Barlor.....	D.
Mr. Syms.....	P. S.	Mr. Drummond.....	F. S.
Mr. Syms.....	P. S.	Peter McGill.....	D.
Jim Thompson.....	P. S.	J. Hurt.....	P. S.
Mr. Thompson.....	P. S.	P. H. Biddle.....	P. S.
R. C. Brince.....	P. S.	James Blakely.....	P. S.
James Wells.....	P. S.	D. Robison.....	P. S.
H. Stauffer.....	F. S.	— Jacob.....	D.
Mr. Willis.....	P. S.	Peter Masiner.....	D.
J. Finly.....	P. S.	Thomas Blakely.....	P. S.
J. Mundy.....	P. S.	Wm. Wainsley.....	P. S.
Mr. Gunter.....	P. S.	— Watk.....	P. S.
Mr. Garrett.....	P. S.	Benj. Huggins.....	P. S.
C. Garrett.....	P. S.	B. Hamman.....	P. S.
E. A. Lang.....	P. S.	— Kanard.....	P. S.
H. C. Lang.....	P. S.	— Thomas.....	P. S.
J. N. Lang.....	P. S.	— Clark.....	P. S.
James Lang.....	P. S.	— Churchill.....	P. S.
Wm. Osborn.....	P. S.	— Dickey.....	P. S.

List of Voters—Continued.

Green D. Todd.....	P. S.	Mr. Baker.....	D.
Thompson Muller.....	P. S.	Mr. Laine.....	D.
George Graham.....	P. S.	James Y. Hook.....	P.
H. Soland.....	P. S.	James Wallace.....	P.
B. M. Crust.....	P. S.	C. A. Dunmer.....	D.
D. Crust.....	P. S.	John Dunmer.....	D.
C. Shaw.....	P. S.	J. Lusk.....	D.
B. Dalbus.....	F. S.	Mr. Lane.....	D.
C. Harrison.....	P. S.	Old Dr. France.....	P.
Mr. Cummings.....	F. S.	J. M. Alexander.....	P.
John Kiefer.....	P. S.	J. B. Quinn.....	P.
Mr. Howell.....	F. S.	— Foster.....	F.
G. B. Panten.....	P. S.	E. H. Bankin.....	P.
Dr. Phillips.....	P. S.	J. L. McAleer.....	P.
Wm. Mathias.....	P. S.	T. F. Shocum.....	P.
Leander Kerr.....	P. S.	Young, at Mrs. Noble's.....	P.
Col. Rich.....	P. S.	J. M. Saylor.....	P.
James Rich.....	P. S.	J. Campbell.....	P.
Wm. S. Yoke.....	P. S.	F. S. Almy, (shoemaker).....	P.
J. C. S. Foss.....	P. S.	Y. S. Almy, (blacksmith).....	P.
B. Becke.....	D.	Mr. Thompson.....	P.
B. C. Card.....	P. S.	Old Hart.....	F.
Theodore Mix.....	P. S.	Mr. Tanner.....	F.
Wm. S. Murphy.....	P. S.	Wm. Henderson.....	P.
Julius Tromel.....	F. S.	Lynne Hart.....	F.
John Daily.....	P. S.	Joseph Hyatt.....	P.
Old Gould.....	F. S.	W. O. Webster.....	P.
J. Wallace.....	D.	Mr. Stoddard.....	P.
Mr. Parker.....	D.	J. Hlick.....	P.
Mr. Mitchell.....	D.	D. J. Smith.....	F.
Mr. Boles.....	P. S.	Mr. Dally, (shoemaker).....	F.
B. Markam.....	P. S.	Mr. Dunning.....	P.
Mr. Arterberry.....	P. S.	— Twombly.....	P.
J. Smit.....	P. S.	Englishman.....	D.
C. Harris.....	P. S.	John C. Gist.....	D.
Mr. Layce.....	F. S.	George Russell.....	F.
Matt France.....	F. S.	S. D. Pickett.....	P.
James Davis.....	P. S.	A. Payne.....	P.
G. Davis.....	P. S.	Mr. Wallace.....	D.
Neighbor.....	F. S.	George Walker.....	P.
H. B. Kelley.....	P. S.	Dr. Few.....	P.
Benj. McCrary.....	P. S.	R. E. Saunders.....	P.
W. Carum.....	P. S.	Daniel Long.....	P.
Wm. Sparks.....	F. S.	James Skinner.....	F.
James Zanes.....	P. S.	Frank Silkman.....	F.
I. Zanes.....	P. S.	H. M. Hook.....	F.
S. Zanes.....	P. S.	N. Suro.....	F.
Mr. Bateman.....	F. S.	— Bird.....	F.
Mr. Kightman.....	D.	R. B. Roberts.....	F.
Mr. Wolf.....	D.	J. R. Edsell.....	F.
C. Neff.....	D.	— Bowers.....	F.
Jacob Kehm.....	D.	N. J. Bateman.....	P.
C. F. Millar.....	D.	James M. White.....	F.
W. Turnell.....	P. S.	Samuel Farr.....	P.
Tusler Turnell.....	F. S.	Wm. Pur.....	F.
Amos Rees.....	P. S.	— Mumford.....	P.
Mr. Gilbert.....	P. S.	A. T. Patty.....	P.
W. G. Wood.....	P. S.	W. H. Long.....	P.
W. A. McDowell.....	P. S.	Thomas Bishop.....	D.
Nathan Roberts.....	P. S.	A. Willson.....	P.
Richard Cookley.....	D.	Ed Moore.....	P.
R. N. Rogers.....	P. S.	Wm. H. Hipsley.....	D.
Mr. Luce.....	D.	Wm. Cune.....	P.

List of Voters—Continued.

Patty's band	P. S.	John Bentz	P. S.
George Keller	D.	Adam Fisher	F. S.
A. T. Kyle	F. S.	George Fisher	F. S.
J. E. Grant	F. S.	S. Scruggs	P. S.
M. Kelly	P. S.	J. Williams	P. S.
John Smith	P. S.	— Furgerson	P. S.
James M. Syle	P. S.	J. Hall	P. S.
Col. Johnson	P. S.	A. Macaulay	P. S.
— Posey	P. S.	J. H. Day	P. S.
J. Cunningham	F. S.	— Ames	F. S.
— Maginty	F. S.	James Kirpatrick	F. S.
Irish stone-mason at Keller's	F. S.	Henry Brubaker	F. S.
Irish stone-mason at Keller's	F. S.	John Brubaker	F. S.
L. N. Rees	P. S.	J. P. Richardson	F. S.
R. R. Rees	P. S.	Jerry Clark	P. S.
Wm. Saunders	P. S.	Dr. Fackler	F. S.
L. J. Eastin	P. S.	A. Hood	F. S.
Wm. H. Adams	P. S.	Adam Deits	F. S.
J. S. Grun	P. S.	B. L. Sellers	F. S.
John Owens	F. S.	Wm. Phillips	F. S.
Wm. Engleman	F. S.	— Eldings	F. S.
F. Engleman	F. S.	— Edlugs	F. S.
George Stephenson	P. S.	Dr. France	F. S.

Pro-slavery..... 187

Free State and doubtful..... 111

Pro-slavery majority..... 76

Those marked P. S. are Pro-slavery.

Those marked F. S. are Free State.

Those marked D. are doubtful.

You ask this account of me,
And sure enough you've got it;
But unless you have the key,
It's of no use—drot it!

You also want the key
To spread wide op'n the lock,
By which to let the Dashes see
Which way the Gander hops.

The right-hand hooks,
All, are for the Goose—
The left are for the Gander;
The side which all the straight-outs chose,
I've left in doubt to wander.

A. MACAULAY.

ADAM T. PATTIE testifies.

To Mr. Scott:

I came from Virginia into this Territory in September, 1854, and resided in the sixteenth district until after the 30th of March, 1855. I attended the election of the 30th of March, 1855, in this district. I should think there were eight hundred if not more voted in this district then. I was pretty generally acquainted with the voters here at that time. I think there were one hundred persons on the ground

the day of election. I was most of the day at the polls. All facilities for voting were furnished, and all voters urged to come up and vote. I think that Malcolm Clark, Captain Pitcher, and others were appointed for the purpose of keeping the way to the window clear. I saw Missourians over here then, many of whom I was acquainted with. I saw nothing more of arms than is usual in the western country, pistols and Bowie knives, but not out except in a difficulty about some liquor. I saw no guns here that I recollect of, though there may and I not have noticed, as it was not unusual to see that here. The citizens and strangers were alike in regard to arms. I saw no violence, and heard no threats in regard to voting. The election passed off as peaceably as in the older States, and more so than some elections I have known in my native town. Mr. Rees, Mr. Eastin, for council, and Mr. Matthias, Mr. Payne, Mr. McMeekin, for house of representatives, were the pro-slavery candidates. I forgot the free State candidates, as I cannot separate their candidates at the two elections last spring. I was personally acquainted with all the candidates of the pro-slavery and free State party, and they were all residents of the district. I knew all the free State candidates except one, whom I only knew by sight. I never heard how many votes the pro-slavery ticket got, but I think that it got about eight hundred. The highest vote the free State ticket got was sixty-one. The pro-slavery party was gaining strength all the time from the first election, and at the time of the election of the 30th of March it had a large majority, and on that day they polled a large majority of legal votes. I saw no hemp or other badge that day used, either by Missourians or citizens. I saw persons voting during the day, and I saw a great many I knew to be residents here vote. I knew nothing personally of any secret society of the free State party at that time, but I have learned something since. There is a secret society in the town in which I live, but I do not know what is the object. There is a free State man living in my house for seven months past, named Peter Taylor, an honest freesoiler. Mr. Taylor went to one election in this district, the first one, and he then said he never would vote again, because the free State men and abolitionists were working together. He went so far in the society as he told me, and then drew back and would have nothing more to do with it. The motives of the society he communicated to me in confidence, and I decline telling what it is.

I reside now at Grasshopper Falls, in this Territory, about thirty miles from here, and have resided there some time past. I have understood that Patrick Laughlin started this secret society.

The election of the 30th of March, 1855, here was contested, and the representative election ordered for the 22d of May following, by Governor Reader. The free soil candidates had been changed for the second election; one was Mr. Gould, and another Mr. France, I think. I am sure that Mr. Gould was in the second election. The pro-slavery candidates were Matthias, McMeekin, and Payne, for the lower house, and no council election. I was present at that election. It was conducted orderly and quietly. There was a steamboat arrived here that day, and votes were polled off the boat, but I do not know what her name was, or where she came from, except from rumor; said to be

from Pittsburg. I saw Mr. Gould down on the boat, and those persons on the boat came up to vote with him, he saying they had as much right to vote as any one. Nothing was said about it, as we knew we were too far ahead for that to affect us. They voted the free State ticket. Mr. Matthias, Mr. McMeekin, and Mr. Payne were elected by a large majority. I did not see as many Missourians here that day as at the March election.

Cross-examined by Mr. Howard :

I think there were from eight hundred to nine hundred resident voters in this district on the 30th of March, 1855 ; so I judged from what I had seen of the district and knew of the town. I do not know the limits of the district and I judge only from the settlements I knew here in the district. Leavenworth, and between that and Alexandria, and Alexandria, the Stranger, and down beyond the Stranger, towards the Kaw river. On the Stranger I include Alexandria, about northwest of here, and then up the Stranger to Dawson's, or Eastin, as I believe it is called. There were a great many persons coming in and looking for land. I think the population nearly doubled between the 1st of February and 30th of March, 1855, mostly from Missouri—some from Kentucky and Indiana. There were boats up before that election, with a great many emigrants who got off here, but I do not know how many. A good many had got off at Kansas City and came up by land. Two men who said that they had come out under the Emigrant Aid Society, and had got off at Parkville, Missouri, came to me for work. I was then carrying on the carpenters' business. I think there were fully six hundred in the district at the time of election, and there might have been eight or nine hundred, and on the 30th of March, I have no doubt there were eight hundred voters. I cannot say how many were here who lived here and had no other homes, but I suppose that all who lived here at the time were about eight hundred voters. I should suppose there may have been one hundred Missourians on the ground on the 30th of March, 1855, those who lived in Missouri at that time, perhaps, more or less. I do not know of one who voted. I suppose I saw some two or three hundred go up to the window to vote, and heard their names called. At one of the elections that spring there was a boat down here from Weston. I do not recollect the name of the boat, but I think it was the New Lucy. I saw some of the citizens of Weston who said they had come on it, and I saw other persons after they got off, but I cannot tell whether a great many came on here or not. I do not know how long the boat stayed here. She was here about one o'clock, but I did not see her when she left. There were, I should think, one hundred Missourians, more or less, here that day, but I saw none vote. I heard them say they did not intend voting as long as the emigration from the east, they were expecting, did not get here. I have not got my opinion of the number of voters in the district from the number of votes polled, instead of what I knew of resident voters. The county was pretty thickly settled. I saw no illegal votes polled on the 30th of March, 1855, though there might have been. Malcolm Clark was building in town here and his children stayed just across

from the Fort on some property he had there. I have heard him state that as he did not vote in Missouri he had a right to vote here. I did not see him vote. Mr. Gould is living in this city yet. I do not recollect the name of the boat from which the hands came and voted. She came from down the river. I took them to be hands from their appearance. I think there were eight or ten of them who voted; there might have been more or less. I do not know where these men lived. I went up to the edge of the ring and saw them cast their votes. They voted by ballot, I believe, and their ballots were different from ours in color—a red color. They stood around some time before they did vote. I do not recollect the color of the pro-slavery ticket, but I think they had two colors of pro-slavery tickets. I know these men said they were going to vote for the man they were going up with. What I mean by ballot, is a ticket with the names I vote for, which are read off when my name is recorded, and that I think is the way it was done at that election. I believe Jolly made his home at Grasshopper Falls, which I think was in this district at that time. The district took in Osawkee, a town on the Grasshopper, and is about nine or ten miles beyond Hickory Point. I call it thirty miles to Grasshopper Falls. This district extended beyond the Stranger, towards the Kaw river, some eight or ten miles, so far as I was acquainted, and I think it extended further than that, and I think it extends, up the river, to some little creek in Salt creek valley, about three or four miles beyond Fort Leavenworth.

I think it was in the spring or winter of 1855 that I first heard about the secret societies of the free State parties; before the March election I think. I cannot say that I ever heard from any one who belonged to this secret society what its object was, but rumor says it is to make Kansas a free State at all hazards, even at the point of the knife, and to work together for one another's interests and help and aid each other in every way and form. This I have heard from pretty reliable men who were free soilers and who now say they will not vote. I judge from the meetings held out our way that those secret societies still exist. I know persons who are not Odd Fellows or Masons who attend those secret meetings. I am a Know-nothing, and that is not such a society. I was in favor of a counter lodge in this city to counteract the one that was exposed here. But I never heard of any secret society in Missouri or Kansas Territory to make this Territory a slave State.

To Mr. Scott:

I found out on the day of election that the tickets were to be of different colors; the pro-slavery, I think, using buff or yellow, and the free State some other color. In the first voting I had some tickets to distribute to my friends, and some of my friends came to me and took them all away, and said the other side had the same colored tickets; and in a short time tickets of another color were given to me. I have forgotten whether the names of candidates were read off the tickets when they were handed in or not. I could tell who a person voted for in some way besides the color of the ticket, as it was a general thing at the window to call out, "here is a free State ticket," and

"here is a pro-slavery ticket." I think Captain Pitcher held the rope at the side as they came up, and let them out after they voted.

A. T. PATTIE.

LEAVENWORTH CITY, K. T., *May 27, 1856.*

H. MILES MOORE testifies.

I came into the Territory to reside in September, 1854, from Weston, Missouri, where I had been residing for five years, practising as an attorney at law. For seven weeks previous to the election in the Territory, on the 30th of March, 1855, meetings of the Platte county self-defensive association were held in Platte county. I also learned that like meetings were being held in all the border counties of Missouri, to make arrangements to come over to the Territory to attend the election for members of the legislature and vote. I know that secret meetings of what was called the Blue Lodge were held in the Masonic Lodge room in Weston. I saw persons going up and I learned from members of the association that their objects and plans were to come over to the Territory and vote on the 30th of March, 1855. I did not myself belong to that association. From what I have heard said, I have good reasons to believe that the nominations for the pro-slavery party for members of the legislature were decided upon at these secret meetings at Weston and Platte City, so far as the fifteenth and sixteenth districts were concerned. For two or three days previous to the election large companies formed through the city of Weston, en route for the Territory, from Platte, Clinton, Clay, Ray, Chariton, Carrol, and some from Howard and Harrison counties, Missouri, bringing with them tents, forage, and provisions. These men were generally armed, some with guns, and others with revolvers and bowie knives. Some of these men were on horseback and some of them were in wagons. Among those from the back counties, that I recognized particularly, were Squire Hyde, of Chariton county, who said he had about seventy or eighty men with him, and several men from Brunswick, Chariton county, who were not of his party, whose names I do not now recollect. I also saw several from Howard county and from the counties above mentioned. Most of the parties from Platte county and those near by went to the back districts of the Territory, as they told me after they returned, to Hickory Point, Marysville, Nemaha, and Wolf river precincts, and that they made a clean thing of it. I saw a company under David R. Atchinson as they passed through Weston, and some of them told me they were going to Nemaha or the eighteenth district. I also learned that they were from the counties of Missouri on the north side of the Missouri river, were to go to the district on the north side of the Kaw river, and those on the north side went to the north side. Companies were formed from Platte county and went over to Nemaha, and then to Hickory Point, and then to Marysville, &c. Squire Hyde's company from Chariton county came to Leavenworth, together with a large number

of citizens from in and about Weston. Some from Weston came in carriages and some on horseback.

The steamboat New Lucy was lying at the levee at Weston, and we chartered her to bring down from eighty to one hundred for \$2 50, round trip, meals included. I think each man paid his own fare on the boat, as this was considered rather a luxurious way of travelling here. As regards the other companies, money was raised to pay their expenses, or a portion of them, to buy their provisions and outfit, by voluntary contributions from those who could not come, but were friendly to the cause. The captain of the New Lucy was Captain William Conolly. The boat started from Weston and got down here in the course of an hour. I should think there were one thousand men on the ground here, armed with bowie knives and revolvers generally, some few guns among them. The citizens of Missouri were generally distinguished by a badge of hemp in the button hole, or elsewhere about their persons. A very large crowd was gathered about the polls. Ropes were carried back from the window so as to form a lane, up which persons went to vote and then passed out. During the forepart of the day there was a great deal of crowding about the polls. The free State men, I think, did not take much part in that election. I voted that day the pro-slavery ticket, as the rest of the Missourians did. The pro-slavery ticket were Rees and Eastin for council, Matthias, Payne, and McMeekin for house of representatives. I have carefully examined the poll books for that election and find on it the names of persons I knew to have been then citizens of Missouri, as follows:

Thomas Baunmont,
J. M. Guthrie,
James H. Hall,
John B. Wells,
George Grimsby,
William H. Spatt,
William H. Nems,
John Venemon,
Judge William B. Almond,
Joseph Guynard,
B. W. McGee,
N. A. Wilkinson,
R. M. Gordon,
Robert Pents,
J. M. Summers,
A. T. Guthrie,
R. B. Chinn,
E. F. Peirce,
John Maury,
Jackson Summers,
R. W. Chinn,
John W. Beding,
F. Marshall,
Samuel B. Offutt,

B. W. Michell,
A. P. Walling,
Franklin Yocum,
Jeremiah Crabb,
D. S. Leech,
James Saunders,
T. R. Buckhart,
James Doniphan,
William Dickey,
W. A. Wilson,
John B. Camp,
W. Christian,
Smith Collant,
Joseph Nowers,
C. E. Woolfolk,
R. H. Stewart,
Jessee Vineyard,
W. S. Offut,
James Barber,
William A. Gaubet,
E. H. Pierce,
David Large,
Isaac Archer,
L. P. Stiles,

W. A. Guthrie,
 G. W. Robins,
 W. L. Dameal,
 Joseph Murphy,
 John Gunsollis, captain of
 steamboat Golden State,
 William Conolly, captain of
 steamboat New Lucy,
 George W. Peirce,
 H. J. Woolf, clerk of Wes-
 ton court of common pleas,
 William C. Kimber,
 H. Miles Moore,
 John B. Wells,
 D. A. Johnson,
 N. B. Brooks,
 John R. Congers,
 John T. Owens,
 George W. Dye,
 G. U. Bannont,
 W. W. Woods,
 D. S. Gordon,

Israel Dougherty,
 A. Gilbert,
 J. C. Cockrill,
 R. F. Fisk,
 Samuel Fernandis,
 Frank Gilbert,
 Harvey Burch,
 D. J. Pence,
 John D. Harper,
 P. K. Wagoner,
 Jacob Pitts,
 John Moor,
 W. T. Barbee,
 W. T. Woods,
 Edward Duncan,
 Am. Owens,
 John W. Corser,
 Joseph Holiday,
 G. W. Robins,
 George Kimber,
 W. A. Newman,
 Michael Burch. (89 in all.)

I should think there were 500 or more votes cast that day by Mis-
 sourians, at the election at Leavenworth city. Several speeches were
 made by gentlemen from Missouri, and the candidates exhorting the
 people to vote, that they had a perfect right to vote under the princi-
 ples of the Kansas-Nebraska bill. My opinion that most of those
 who came from Missouri to the Territory to vote were induced to do
 so from representations made to them that there were large numbers
 of emigrants coming from the north and east, under the auspices of
 the Emigrant Aid Society, for the purpose of voting to make Kansas
 a free State, and then returning. Such statements were published in
 the papers through western Missouri, together with statements that
 these eastern emigrants threatened, after making Kansas a free State,
 to come over into Missouri and interfere with slavery there, and I
 think that very few of the free State men voted at Leavenworth at
 this election. I had conversation with several free State men who re-
 sided in Leavenworth city and its vicinity, in which they stated that
 they were disgusted with the manner in which the election was being
 conducted, and that the free State men would not vote, but would
 contest the election. I tried to persuade them to vote, and their re-
 ply was, that the people of Missouri were controlling the election, and
 they would not take part in it. I know those free State men I con-
 versed with were citizens of Leavenworth and vicinity from that I
 had been one of the town proprietors from its inception, and I was
 the first secretary of the town association, and these free State men
 were some of those who had bought shares and lots in the town, which
 I had transferred to them as secretary. I had attended all the public
 sales of lots as secretary of the association, and had been here nearly
 every week on business connected with the association, as well as on
 my own business. The free State men generally had nothing to do

with the election. I did not see any attempts to prevent any one from voting. The polls were very much crowded during the fore part of the day. In the afternoon the polls were clear, and at times calls were made for more voters, and I think any one could have voted who had so desired. Just before sundown the New Lucy returned to Weston, there being more persons going back on the boat than came down on her in the morning. For several days after the election many persons passed through Weston back into Missouri, among whom I saw most of those I knew, and had seen going into the Territory, and they stated to me the several precincts they had been to and voted, and said they had made a clean sweep that time.

I came into the Territory to reside in September, 1854. Shortly after that an election for locating the county seat was held in this county, at which large numbers of Missourians, from Platte county, Weston, and Platte City, came to Delaware City and Kickapoo and voted at that election. I had believed that the Missourians had had some justification for endeavoring to come and control the territorial legislation, in order to afford more security to their slave property in Missouri, and for that reason I had come with them; but their course with regard to the mere local election for county seat was so high-handed an outrage upon the rights of the people of the Territory, of whom I had then become one, that I came to the resolution that I would no longer act with a party so regardless of the rights of others that they would interfere in a matter in which they could have no personal or political interest, I determined to act with the free State party so long as they were actuated by what I considered proper motives, though I would have continued to act with the pro-slavery party had they not acted as they did. I therefore concluded to act with the free State party so long as they were willing to act consistently with the principles of the organic act, and submit to the territorial laws while in force. At the election for county seat, Delaware county, with a population of not more than forty voters, polled nearly a thousand votes. A large majority of the votes polled at Kickapoo were by Missourians. The people of Leavenworth polled between 500 and 600 votes, all given by actual residents, so far as I was able to find out.

In consequence of my determination at this time to act thereafter with the free State party I became obnoxious to the pro-slavery men, both in Missouri and in the Territory. My person and property has been frequently threatened with violence and destruction by them for six months or more past. I was elected at the election for State officers, under the Topeka State constitution, attorney general of the State of Kansas. In March last I took the oath of office, with the express understanding that it should not be binding on me, and I should not enter upon the discharge of my official duties until Kansas had been admitted into the Union as a State by Congress. On Wednesday, May 28, 1856, I was arrested while standing at my office door, about noon, by Major Warren D. Wilkes, who had a posse with him of some twenty or twenty-five men, armed with United States muskets and bayonets. At the time of the arrest I was conversing with Marcus J. Parrot and Hon. John Sherman, a member of the Kansas investigating committee of the House of Representatives. This posse

marched down the street in column in platoons of four, and when they reached my office they faced about and formed in a line, with shouldered muskets. A man by the name of Eli Moore, who has been, and I think is now, deputy sheriff of this county, approached with Major Wilkes, and pointed out to him Mr. Parrot and myself. Major Wilkes said to us, "Gentlemen, I have to arrest you temporarily." Mr. Parrot said to Mr. Sherman, "What shall we do?" Mr. Sherman said, "I can do nothing; I am powerless in this matter." Mr. Sherman then turned to Major Wilkes, and asked him if he had a warrant for our arrest, and he said he had not. Mr. Sherman then asked him by what authority he made the arrests, and he said, "By an authority higher than my own; I am not acting on my own responsibility;" and then holding out his hand with a crumpled piece of paper in it, he said, "I have a list of names here for arrests." I then went into my office, locked up my desk, got my hat, and came out and locked my office. I then inquired of Major Wilkes by what authority he arrested me, or if he had a warrant from anybody for my arrest. Major Wilkes replied, "I have no time to parley; take your place in the ranks;" which Mr. Parrot and myself did. Martin F. Conway and Mr. Weibling were then prisoners as we were. Mr. Sherman then approached Mr. Conway, and inquired when he was taken. Just as he spoke the word of command was given to "forward, march." As we started Mr. Conway turned to Mr. Sherman and said, "I have left the papers I was copying with Mrs. Sherman." We were then hurriedly marched down and placed in a warehouse of Captain Clarkson, and kept there, under a strong guard, until the next morning, when I was sent for by the commissioner. A guard went up to the committee room with me. The committee refused to examine me while I was under guard, unless some legal authority was shown for my detention. I was then taken back. Subsequently, and while I was in custody, I was informed by Captain Clarkson that a secret council had been held, and had determined that I must leave the Territory. I asked him what were the charges against me, and if I might not go before the congressional investigating committee and make some explanation. He said that I had taken a prominent part in the free State movement, and had accepted an office under the State organization, and therefore I had become obnoxious, and with other free State men, a list of whose names they had, must leave the Territory. I expostulated with him, but it was insisted upon that I should leave the Territory. I explained to him that I had great interest in this town, and I should be pecuniarily ruined if obliged to leave so summarily, and that I expected my wife here shortly, and looked for her to arrive on each boat. He said that under those circumstances I would be allowed a little longer time than otherwise, but I must leave the Territory in a very short time, at all events, and his orders were imperative.

Being compelled thus to leave, I have been requested by Messrs. Howard and Sherman, who deem my evidence important, to give it thus in private, believing as I do that my person and life would be endangered at this time should I give it in public.

H. MILES MOORE.

LEAVENWORTH CITY, K. T., *May 30, 1856.*

SAMUEL RIXEY called and sworn.

To Mr. Oliver :

I am acquainted with Thomas Hodges, of Platte county, Missouri. He lives one mile above me on Bee creek. I have never had any conversation with Mr. Hodges in regard to any election in this Territory. I have never countenanced him in any way, as I have always regarded him as an abolitionist, and never regarded him except with contempt; and I declare the statement made by him, that I offered him five dollars to come over and vote, or for anything connected in any way with coming to this Territory to vote, at any time, is false. I have not seen him since I understood that he was here testifying before this committee. I never heard of his testifying in regard to my offering to bribe him until this morning. I have no recollection of ever soliciting him to come to any election in the Territory. Mr. Thomas Hodges I refer to is the one I understood has testified before this committee.

SAMUEL RIXEY.

LEAVENWORTH CITY, K. T., *May 31, 1856.*

WILLIAM G. MATTHIAS testifies.

To Mr. Scott :

I came into the Territory of Kansas and settled at Leavenworth City on the 23d of November, 1854. I was present at the election of the 30th March, 1855, at Leavenworth. The candidates at that election were L. J. Eastin and R. R. Rees for council, pro-slavery, and A. J. Whitney and Mr. Twombly, free State, for council; H. D. McMeekin, A. Payne, and myself, pro-slavery, Felix Braden, Dr. France, and Mr. Browning, free State, were the candidates for the house of representatives. During this spring I was boarding at Fort Leavenworth. There was a ferry at the Fort, and there was also a ferry above the Fort on government land, and all crossing at both ferries were necessarily compelled to pass along the public road along by the Fort. During the month of March there was a great deal of emigration, wagons and people coming across the ferries into the Territory, so that I concluded that the resident voters of our district, which extended out as far as Soldier creek, had increased very considerably.

We were anxiously looking for the proclamation of the governor, so as to find out when the election was held. About the early part of March, about the first week, we heard a rumor that the election was to be held on the 23d of March, and therefore the pro-slavery party called a convention on the 10th of March. At that time we had not learned positively when the election was to be, but I think a messenger came there that night with the proclamation of the governor. We had given but four or five days' notice to the people of the district to meet in mass convention. There were over one hundred pro-slavery voters there at the convention of the 10th of March. On

the first ballot for candidates there were one hundred votes given, and there were a number of pro-slavery men who were not there when the balloting was going on, and I do not remember of seeing a man there who lived further than Stranger creek. I was therefore satisfied that not half the pro-slavery men of the district were there. It was always my impression, from all I could learn, that we had a large majority in that district.

On the day of election there were a great many persons present whom I did not know, but several hundreds I did know, having met them in convention and in canvassing the district. I was about the polls a good deal, but I could not tell that I saw more than one man vote besides myself. There were two ropes extended back from each side of the window some twenty or thirty yards, and there was a sort of police to keep men from crowding on and breaking the rope down, but near the window there were a great many persons, both inside and outside of the ropes, to watch the voting. Our tickets were red tickets, and the crowd I suppose had ascertained that and were standing there to see the red tickets go in. Before many votes were cast some of those who were acquainted with free State men of Leavenworth discovered they were voting red tickets also. It was proclaimed in the crowd by several men who got up in the crowd, that all pro-slavery men who had red tickets should destroy them and not vote them. We then had yellow tickets printed, and I remained at the printing office until we had what we supposed were enough of yellow tickets. There were sixty-one free State tickets polled that day; I saw some of them go inside the ropes but I did not see them vote. I was acquainted with thirty or forty free State men in town, and I called on several who were near the polls to come up and vote, as several of them had indicated they would vote for me, as they boarded at the same house I did. A few of them have since told me they voted for me. I saw some of those I spoke to go between the ropes and go up to the window, and I suppose they voted; but several of those I spoke to said they would not vote; I asked the reason; they said they thought their party was badly beaten and there was no use in their voting. The election passed off as orderly and peaceably as elections I had attended in Carroll county, Maryland; I knew of but one fight there that day, and that I think was between two pro-slavery men. In Maryland, where I came from, we frequently had half a dozen bruised faces during the day. In mixing with the crowd at Leavenworth on the day of election I noticed that most of them had belts on, and I saw in some of them pistols and Bowie knives, but that was the custom of the country. The citizens of the town I think were not armed. I saw, I suppose, all the people who were about that day, and I do not think I saw three men in the whole crowd there of one thousand and upwards with hemp about them; I did see one man who had a hempen cue fixed to his hair and hanging down behind.

I think we made four appointments to address the people while we were canvassing the district; one at Alexandria, on Stranger creek, one at Somerville, on Little Stranger, near Mr. Minard's, one at Salt Creek Valley, and one at Leavenworth city. There were but few people present at Alexandria; they were all pro-slavery men, and we made

no speeches there. The candidates of both sides went round the district together. The next day we went to Somerville, where we arranged so that Mr. Twombly opened the discussion that day. We found present about the time the speaking commenced some forty or forty-five persons. Mr. Twombly continued speaking some three hours. In the mean time a fight occurred between a free State and a pro-slavery man, and the free State man was cleaned out, and from the sides the people took we discovered many more there on our side than we thought we had. We did not discuss any ourselves that day, as there was not much time for it. Mr. Rees made some few remarks just after Mr. Twombly closed, and while speaking made some reference to the Emigrant Aid Society, and some one in the crowd cried out "Don't you say anything against the Emigrant Aid Society, for they sent me out here." The next day we had a discussion at Salt Creek Valley; at that place I think there must have been some sixty persons present. There was good feeling, as far as the candidates were concerned, all the canvass through.

I was not much acquainted in the district until I commenced canvassing it; and from what I learned in every way during the canvass, I concluded we had a large majority of actual residents in the district. The election, I think, was on Friday, and on the day before we spoke at Leavenworth to a crowd of several hundred. Many of them I knew to have been residents of the Territory, and I have recognized many others since as residents. I do not think there were many Missourians there at that public speaking. I think I must have seen three or four hundred resident voters in the canvass in the district, and there were some pro-slavery men who were not at the election.

The crowd who were at the polls on the day of election did not interfere with the voting of any one; and by three o'clock the bulk of the crowd were gone, and during the day, a good portion of the time, the bulk of the crowd were down on the levee listening to the speeches that were made there.

The judges told me that I lost several votes, as, in cutting the tickets apart, my name being on the bottom was cut in two, and they would not count those tickets for me. The pro-slavery party were united on their ticket, and I think I never saw more union in any party at any election. I think I must have been acquainted with probably four hundred resident voters on the ground that day, and there were many there I am confident I was not acquainted with. I think there were three pro-slavery to one free State man on the ground.

That election was contested and a new election was ordered by Governor Reeder. I think on the 3d of April the Doniphan, Atchison, Kickapoo, and Leavenworth members elect left for Shawnee Mission, and found most of the members elect in Westport, Missouri. The next day we went to Shawnee and found a protest filed against our election signed by some ten or a dozen persons. Governor Reeder set the representatives elect aside in our district, and ordered a new election, which was held on the 22d of May following. The same pro-slavery candidates for representatives ran again. There were six or seven hundred votes polled that day. But there was not much

interest taken, as far as our side was concerned. Mr. McMeekin and myself declared that day that we were not candidates; that we did not believe Governor Reeder had a right to set aside the first election; that we had been elected before, and intended to claim our seats under the first election. I had a conversation with some of the free State men that day, and they acknowledged that that election was all fair, and they had been beaten fairly.

I saw Governor Reeder several times before the legislature met at Pawnee, and he said he would give us our certificates at any time. No one appeared to contest our seats, and there were no persons in Pawnee claiming seats for any districts except in those Governor Reeder had set aside.

WILLIAM G. MATHIAS.

WESTPORT, MISSOURI, *June 6, 1856.*

SEVENTEENTH DISTRICT.

Rev. THOMAS JOHNSON called and sworn.

To Mr. King:

I have lived in Kansas Territory for nineteen years. I was elected a member of the council of the territorial legislature, in the first council district. I was present at the election on the 30th of March, 1855, at the Shawnee Methodist meeting house, in the seventeenth district. Governor Reeder and Judge Lecompte were both present at that election. Mr. Chouteau, one of the judges of election appointed by the governor, asked me a few days before the election about the nature of the oath prescribed by the governor, and I told him I presumed it was substantially correct, and there would be no difficulty in taking it. But I informed him at the same time that Judge Lecompte would be at the election, and he could consult with him about the oath. On the day of election, at the place where the polls were held, I heard the judges speak to Judge Lecompte about the oath prescribed by the governor. I did not hear all that passed between them, for I paid but little attention to it, but I understood that Judge Lecompte would and did make some slight verbal alterations, which met their objections, but did not materially change the effect and nature of the oath. He administered that oath to the judges of election, and after that I asked Governor Reeder if the changes in the oath affected its validity. He told me that it did not, that he did not see any necessity for making any change, but still he considered it a good oath. I believe I was acquainted with all but three or four voters there on the ground. I had no knowledge of there being any illegal voting that day, and those three or four I did not know were free State men, and there were some questions passed between them and the judges as to how long they had resided in the district, and then their votes were allowed and received.

Question. Will you state what conversation you had with Governor Reeder prior to the meeting of the territorial legislature at Pawnee, and after the governor had issued his proclamation convening them there, concerning the propriety of calling them there, and the absolute necessity of the legislature when they met there, removing to some other place, and what the governor said as to the power of the legislature to remove, and his co-operating with them in whatever they should decide to do in reference to that matter?

[Mr. King here states that he proposes to prove that after the governor issued his proclamation convening the legislature, the witness had a conversation with him, in which the witness objected to the propriety of calling the legislature together at Pawnee, stating that there were no accommodations there that would be at all suitable for the legislature, and that if the legislature was convened there, they would certainly have to remove to some other place, where they could get suitable accommodations. Also that Governor Reeder admitted that there were no suitable accommodations at Pawnee at that time, but said he had made arrangements for having suitable accommodations prepared, and that if, upon the meeting of the legislature, those accommodations were not to be obtained there, it would be the right of the legislature to adjourn to some other place where they could be suitably accommodated, and that he would co-operate with the legislature and acquiesce in whatever they might do in regard to that matter, admitting the right of the legislature to adjourn to any point they pleased. Also, that the governor stated that if he could be satisfied before the meeting of the legislature that preparations could not be made for them at Pawnee, he would call them together at some other point. He also proposes to prove farther, that on the same evening after the above conversation took place between Governor Reeder and the witness, a messenger came to the governor from Pawnee and informed him that it would be impossible to make suitable preparations for the accommodation of the legislature by the time they would convene, and that the governor, instead of complying with the promise he had just made to the witness, still persisted in calling the legislature together at Pawnee, and never undertook to give any explanation to the witness as to the reasons for his course. Mr. King also proposes to prove further by the witness, that upon the meeting of the legislature at Pawnee there were no sort of accommodations there for the legislature, and they were therefore compelled to abandon the performance of their duties or to adjourn to some other place. Also, to prove that when the legislature assembled there the members had to make their own camps and camp out, and do their own cooking, unless they were fortunate enough to get others to do it for them; that there were no boarding houses around in the country anywhere, except two little log shanties erected at the place, with no doors or partitions but clothes hung up, and not sufficient to accommodate one tenth of those who were necessarily obliged to be there during the sitting of the legislature. Mr. King also offers to prove further that the cholera was raging at Pawnee at that time, and that a man died of the cholera at one of these shanties before the legislature removed from them, and that several members had strong symptoms of cholera, and were

prostrated by the disease. Mr. King states that his object in offering this testimony is not to show that the legislature had the right to adjourn from Pawnee, because Governor Reeder admitted it, but to exhibit Governor Reeder's conduct in the whole affair in what Mr. King considers the proper light.

A majority of the committee overrules the question and excludes the evidence offered ; Mr. Oliver dissenting.]

To Mr. King:

My council district was composed of the 1st, 4th, and 17th election districts. I did not canvass the district, and know nothing about the vote at Lawrence, and did not go there until after the election. I objected to be a candidate, but was brought out by the party.

THOS. JOHNSON.

WESTPORT, MISSOURI, *June 3, 1856.*

CYPRION CHOUTEAU called and sworn.

To Mr. King:

On the 30th of March, 1855, I was a resident of Kansas Territory, and have lived in it some twenty or twenty-two years. I was one of the judges of election, appointed by Governor Reeder, for the seven-teenth district, and served as such on the day of election, taking an oath, administered by Judge Lecompte, in the presence of Governor Reeder. I heard nothing to lead me to suppose the judge and the governor did not acquiesce in the oath administered. I knew a great many of the legal voters of the district at that time. I allowed no man to vote except those who lived in the Territory. In judging of the qualifications of voters we applied the rule laid down in the instructions of the governor. There was no disposition to prevent any men from voting, and all whom we considered legal voters, and who presented themselves, were allowed to vote. I know of no reason why any person in the district should not have voted that day ; and I know of no free State man in the district who did not vote. The pro-slavery party had a majority, not very large, in the district at that time. I think the vote on the poll books is a pretty correct exhibit of the relative strength of the two parties in that district at that time.

Cross-examined by Mr. Sherman:

We had the printed form of the oath prescribed by Governor Reeder before us. There was something in that oath to which the judges of election objected, but I do not recollect what it was. We applied to Judge Lecompte in reference to it ; we told him we did not like to take the oath, and he said he would put it in a different shape and it would answer just as well. Some of the judges of election noted our objection to the oath, as prescribed by the governor, to Judge Lecompte, but he expressed no opinion, that I know of, in regard to our objection, but wrote, at the request of Mr. Bowles, a different form of oath, which was administered to us. I am unable to say what was the objection

taken to the prescribed oath, or whether it was to the words, "by lawful resident voters," being in it. Mr. Bowles and Mr. Donaldson was the two judges, beside myself. I do not think a different form of oath was administered to the clerks from the one prescribed by the governor. The election was held at the Shawnee Methodist meeting house. Governor Reeder was present at the time the oath was administered to us, though he may not have been present when we stated the objection to Judge Leconte. I saw him and the judge talking together, but did not hear what they said, though I understood it was about the oath to be taken by the judges.

To Mr. King:

It was not the intention of the judges, in objecting to the oath as prescribed, to get any other form under which we could allow non-residents to vote, for we allowed none but legal resident voters to vote; and when Judge Leconte was applied to by us, being a judge of the United States court, he told us he could put the oath in a different shape and it would accomplish the same purpose.

CYPRION CHOUTEAU.

WESTPORT, Mo., *June 2, 1856.*

JOHN A. HALDEMAN called and sworn.

To Mr. Mathias:

I first came into this Territory in year 1854, from Kentucky. I returned in July, 1854, to Kentucky, and then came back to the Territory again, reaching here about November 1, 1854. About two or three weeks afterwards, Governor Reeder tendered me the post of private secretary, which I accepted. On March 30, 1855, I was at what is known as Gum Springs or Shawnee missionary house, in this Territory, about five miles from the Shawnee Mission, where the polls were held for that precinct, according to the proclamation of the governor. I was found at the polls during the day. There was no disturbance or fuss of any kind that I recollect. It is so long since that I do not think I could name five persons there. I was acquainted with but few of the inhabitants of that precinct, not a majority. There were not many persons there, among whom was Governor Reeder. That precinct comprises a great portion of the Shawnee reserve. I do not know whether Governor Reeder voted that day or not. I left the polls after they were closed and returned to Shawnee Mission. I was not in Leavenworth making a speech according to the testimony of some persons before this committee. Governor Reeder and myself had been up upon the half-breed Kaw lands, and we got to Shawnee Mission on March 29, 1855. I do not recollect of making a speech during that canvass. I had not been in Leavenworth before or after the 30th of March for some weeks.

To Mr. Howard:

I was not in Leavenworth at the election of November 29, 1854, or the election of May 22, 1855..

To Mr. Mathias :

I knew Judge Flannigan before November 29, 1854, but do not know what induced him to come out here to run as candidate for Congress. Judge Flannigan reached the Territory about the first of November, 1854, perhaps before, I am not certain. He left in a few days after the election of November 29, 1854, and I have never heard of his being back in the Territory afterwards. I do not know whether he was a man of family or not. Governor Reeder has told me he himself had a family in Easton, Pennsylvania. No one of his family has been in the Territory to my knowledge. I think if any one of his family had been here I would have known it. I acted as the private secretary of Governor Reeder till about the middle of June, 1855. The following candidates at Gunn Springs were Thomas Johnson and Edward Chapman for council, and Alex. Johnson for house of representatives. I think S. N. Wood was one of the candidates of the free State party for council ; the other candidates I do not recollect. I think the free State party had a full ticket. After the returns of the election of March 30, 1855, were made to the governor, I think certificates were given to the pro-slavery candidates in the Shawnee Mission district. He also gave certificates to General William P. Richardson, John W. Forman, L. T. Eastin, R. R. Rees, D. A. N. Grover, William Barbee, Mr. Lykins, Mr. Coffee, Martin F. Conway, for council for other parts of the Territory ; to Alex. Johnson, Mr. Younger, Mr. Heiskell, Mr. Scott, Allen Wilkison, Mr. Anderson, Mr. Williams, Dr. Tebbs, Dr. Stringfellow, Mr. Kirk, Mr. Watersan, Mr. Blair, Mr. Honston, Mr. Marshall, A. J. Baker, for the house of representatives. There may have been others who received certificates whose names I do not recollect. There were protests filed in some cases, and new elections ordered. I am not prepared to say whether all the protests received were received before the certificates were issued to the persons I have named above. I think protests were so filed in the sixteenth representative district, in the first, second, and third districts. I do not remember about the Fort Riley district, whether Governor Reeder appointed a day to hear the case of Conway and Donaldson or not. The certificate was issued to Conway I know. I think the matter of some districts for new elections was held in abeyance by Governor Reeder for some days, and I do not know whether any protests were received after the certificates had been issued or not. I do not know of any.

To Mr. Howard :

There was a time fixed by the proclamation issued previous to the election for protests to be received. I do not know whether any protests were received after that time or not. None to my knowledge.

JOHN A. HALDEMAN.

LEAVENWORTH CITY, K. T., May 31, 1856.

EIGHTEENTH DISTRICT.—*Moorestown.*

D. H. BAKER called and sworn.

I came into the Territory about July 10, 1854, from Indiana, and settled on the Nemaha, at the crossing of the California road from St. Joseph's, in what is now called the Nemaha county, in the eighteenth district. I was present at the election of March 30, 1855. The election was held at W. W. Moore's, at what was called Moorestown. I was there between eight and nine o'clock, before the polls were opened. Thomas Cramer, Mr. Belew, and Elijah Adamson were the judges. I think there were about seventeen or eighteen settlers of the district at the election, and I thought I knew all in the district. Some persons there told me they were from Missouri looking for claims, and had a camp about two miles off, but I was not in it. They told me there were about sixty of them. All I saw there were armed with shot guns, bowie knives, and pistols. I should think about forty voted. They said they were hunting claims, and they said Cramer said that all who were on the ground had a right to vote. Some of those told me they were from Missouri. They said they came to hunt claims and vote. Some said they had taken claims, but I do not know as I have seen a man of them since. I was not present when the voting commenced. I think there were some sixty votes cast at that election. I did know the number for I was there when the polls closed. I heard no threats used or saw any resistance. After these men voted they went to the camp, and I did not see anything more of them. They did not claim to be residents of the district. They agreed that their residence was there at that time, and they had a right to vote. But they did not claim to be citizens. I did not know any of those men. I did not see General Atchison that day, or, if I did, I did not know him. The following names on the poll books are settlers: S. J. Cramer, George H. Baker, John Ballou, S. J. B. Cramer, Samuel Crozier, Greenberry Keys, Benjamin Winkles, H. M. Newton, Thomas Newton, Isaac B. Miller, Jesse Adamson, Nath. D. Beals, Richard Clancy, W. W. Moore, James O. Laughlin. There is one more citizen who voted whose name I do not recognize on the list, making seventeen in all. The others are not settlers of that district, and I have never seen them there since that day. The arms they carried were not concealed. There are two crossings on the California road, about half a mile apart. I live on one and Mr. Moore on the other. I saw some companies, a few days before the election, who said they were going out to the Big Blue to take claims. One company had about fifteen men in it. They said nothing about voting, and I did not see them return. They had guns with them. The election at the Big Blue was at Marysville where the crossing is.

Cross-examined by J. W. Whitfield:

Some few of these men told me they were from Missouri. They said they were 60 in number, but there were not that many that voted.

Some who told me they were from Missouri I saw vote. There had been none along so early in the year before to look up any claims, as it was most too cold for that. They had arms. A great many who go out on the prairie carry arms and a good many do not. I came down here without any. All of them I saw had arms. Mr. John W. Forman was candidate for council, and I think got all the votes that were cast, for all parties voted for him. I heard no threats made, I saw no violence, no one was prevented from voting that I know of.

To Mr. Sherman :

I thought the judge of the election, Thomas Cramer, was the leader of these men, and he went out and called for more votes. They came up in a body and stacked arms, and then voted one after another. I do not know that any were deterred from voting in consequence of threats. I think not exceeding three or four staid away. Our district was attached to the district down towards St. Joseph's at that election.

To Mr. J. W. Whitfield :

Mr. Cramer the judge of the election was a citizen of the district. I did not go with these men when they went away. I do not know that they went to Missouri. Sometimes men go from one part of the Territory to another for claims.

To Mr. Sherman :

Dr. G. A. Cutler and John Landis were the free State candidates for the house of representatives, and J. H. Stringfellow and Mr. Kirk were the pro-slavery candidates. The settlers who voted that day were generally free soil, all but three or four of them. Our settlers are from Virginia, New York, Indiana, and Missouri, the majority of them from the western States.

To Mr. Whitfield :

Some of the free soilers told me they had come from Missouri and settled in that district.

G. H. BAKER.

LEAVENWORTH CITY, K. T., *May 14*, 1856.

JOHN BELEW called and sworn.

I came into the Territory in April, 1854, from Illinois to St. Joseph's, and thence to this Territory and settled in the 18th district, commonly called the Nemaha district. I was one of the judges of election for March 30, 1855, appointed by the governor and served as such. There were but few settlers in my district, some twenty or twenty-two, I think. I believe I knew nearly all about there by being around with them, helping them to raise houses, &c. Some of them were from Iowa, some from Illinois, who had lived in Missouri. They were generally from the western States. There was no village there. The election was held at the house of W. W. Moore. I think nearly all the settlers voted that day. Others voted also, who came up on the day of the election just about the time the polls were opened.

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There were a little over forty of them, from forty to forty-five. They were armed with pistols and Bowie knives, but I do not recollect of seeing any guns. They came generally on horseback. They said they had taken claims round through the Territory and came there to vote. They said that some of them had done work on their claims, and others intended to come back to work upon them. I never saw one of these men after the day of election about our place. I do not know as they said upon what grounds they claimed the right to vote. They took the oath prescribed by law, and all were sworn. No objections were made to taking the oath. The judges had all been sworn. After they voted they all disappeared, and I saw nothing more of them. The following are the names of those on the poll books I know to have been residents at that time: S. J. Cramer, Geo. H. Bohn, John Belew, S. J. B. Cramer, Samuel Crozier, Grimbarg Key, Benjamin Winkle, H. M. Newton, Thomas Newton, Isaac B. Miller, Jesse Adamson, Walter D. Beeler, Richard Claney, W. W. Moore, James O. Laughlin, John O. Laughlin. R. L. Kirk came to my house about a week before the election, and boarded there until the day after the election. He said he had bargained for a claim and intended to settle on it. I do not know where he lives; I have not seen him since. I do not know the residence of any of these men. I have not seen them anywhere to know them. Mr. Owen and Mr. Davis, who remained at my house the second night before the election, told me they were just over from Missouri and had taken claims. They left the next day, but were there on the day of election and voted. I have not seen them there since.

Cross-examined by Mr. Whitfield:

I do not know exactly the size of my district. I was one of the judges of the election. I regarded no vote I received as illegal, as I went by the oath that was taken by them. The election was generally peaceable and quiet, more so than at some elections I have seen. There has been a good deal in Kansas of men coming and taking claims and then never coming back. I do not know where all these people live; they may live in Kansas now for what I know. I was subpoenaed at Iowa point by a man named Weaver. I have understood that he lives near Lawrence. I have never voted, or had anything to do at any election but the one in March, 1855, and the 1st of last October. It is very common lately to see men passing through the Territory armed. In speaking of taking claims, they named Four Mile creek and Big Timber or Walnut creek as where they had taken claims, but I do not know to this day whether it was in our district or not.

By M r. Sherman :

I do not know that it is usual for armed bodies of men—40 or 50 men—to come together to take claims. I was at the election of the 1st of October last, and I do not know of more than eight or ten who voted. As far as I know Nemaha county is pretty much the same as the eighteenth district. W. W. Moore's house in Nemaha county is back in the country, about 60 miles from Iowa Point, and between 80

and 90 miles from St. Joseph's. I was subpoenaed to go to Lawrence, and went there, and then came here.

By Mr. Whitfield :

I saw no man take claims, and do not know when these men took their claims that they said they had taken. I did not see 40 or 50 men go to the polls together. I saw them about the polls, but do not know that many came together.

By Mr. Sherman :

I think the largest number I saw come together was about 15 or 20; about the first who came.

By Mr. Whitfield :

At the last October election I did not understand that there was any opposition to the election of Gen. Whitfield.

JOHN BELEW.

LEAVENWORTH, K. T., *May* 16, 1856.

ARNET GROOMES called and sworn.

I came into the Territory in April, 1854 ; I settled in the Burrdoch precinct in the 14th district, and have lived there since. On the Sunday night before the election, which was on Friday, General David R. Atchison stopped with me to stay over night. A partner of Mr. Johnson, of Platte City, a General Dorris, introduced me to General Atchison. One of them asked to stay, and I refused ; he said he had a company of men, and had lost them, and wanted to stay all night. I said I was not fixed to do so. He said he would let his horses stay in the lot without anything to eat, and he would lay down on his blanket. I then said he could get down, and I would let him have what little I had. Both persons were present at the time. After they came into the house both were particular in their inquiries as to whether their wagons had passed. I said that I had been to St. Joseph's and had seen them cross, and supposed they were on the Kansas side up about the widow Briggs' claim. He said he had been to Blackstone's and Thompson's, and could not make out where the wagons had taken off. Mr. Dorris then got up and introduced me to General Atchison, and also to himself. General Atchison took me with a candle to look in his blankets for a Bowie knife he said he had lost, and while he was looking for that I saw the handles of two or three Bowie knives and some revolvers. They were not on his person, but in his blankets, and he said he had lost one of his Bowie knives. I turned away when I saw that, as I was surprised to see a man with more than one knife or pistol. The next morning we had another conversation about the wagons, which General Atchison seemed to think were ahead. He said he had about eighty men and twenty-four wagons. I asked him where he was going with them. He said John Bold had sent for him to come up above, as there were persons coming over there all the time to take the polls. I asked what he

was taking so many men up there for ; and one of them said, I do not know which one, that they were going up there to guard the polls, and not let certain persons vote. I asked him if they were not going to see a little town called Atchison, and he said he might and he might not, but he did not know. About that time some of his men and wagons came up. I did not see as many men or wagons pass at that time as I had understood from him there was. I went to the election on the 30th of March, 1855, at Mr. Bryant's, in the 14th district ; I saw one illegal vote given, and I objected to it very strongly. It was a man by the name of Charles Gilmor ; when I objected, Colonel Craig was sitting in place of one of the judges or clerks who was gone to dinner I supposed. I objected to Cary Whitehead, one of the judges. They took the vote, and said I had no right to object. I asked them to swear him, and they said they had no right to swear him. This Gilmor was not a citizen, and I never heard of his being a citizen of the Territory since.

Cross-examined by M. Scott :

I judged, from what General Atchison said, that the persons referred to by John Boler were coming over from Iowa, but I do not know as that was so. I do not know as I saw more than two bowie knives and four pistols at the time General Atchison was looking for the bowie knife. Gilmor said at the polls that he had no claim, and that he had come from Illinois to get a claim, and would have one. I was born in Virginia, married in Kentucky, and raised a family in Missouri.

ARNET ^{his} × GROVERNS.
_{mark.}

LEAVENWORTH CITY, K. T., *May* 23, 1856.

Copies of the returns of the election held in the Territory of Kansas on the 30th day of March, A. D. 1855, taken from the official returns on file in the office of the Secretary of the Territory, in Leecompton, on the 18th day of April, A. D. 1856, by the special committee of the House of Representatives of the United States.

FIRST DISTRICT.

Form of oath to be taken by the judges of election, taken from printed form filled up and on file.

I, Hugh Cameron, do swear that I will perform my duties as judge of the election to be held this day at the house of William H. R. Lykins, in the first election district of the Territory of Kansas, to the best of my judgment and ability; that I will keep a true, correct, and faithful record or list of all persons who shall vote at said election; that I will poll no ticket from any person who is not an actual inhabitant and resident of said Territory on the day of election, and whom I shall not honestly believe to be a qualified voter according to the provisions of the act of Congress organizing said Territory; that I will reject the votes of all non-residents who I shall believe have come into the Territory for the mere purpose of voting; that in all cases where I am ignorant of the voter's right, I will require legal evidence thereof by his own oath, or otherwise; and that I will truly count and record the votes received, and make a true and faithful return thereof to the governor of said Territory.

HUGH CAMERON.

Sworn and subscribed March 30, 1855, previous to opening the polls, before me.

J. S. EMERY,
Justice of the Peace.

Each judge will subscribe, at the right hand, two of these oaths, and the person who administers it will sign on the left. One copy of which will be deposited in the ballot-box, and the other three enclosed with the returns of election.

[Similar separate affidavits, subscribed by Robert A. Cummins and James B. Abbott, and sworn to before J. S. Emery, and also one subscribed by Theodore E. Benjamin and sworn to before Hugh Cameron, as judge of election, are on file.]

List of voters—First district.

- | | |
|---------------------|--------------------|
| 1 Robert A. Cummins | 8 James Christian |
| 2 Hugh Cameron | 9 J. A. Fenly |
| 3 J. B. Abbott | 10 C. H. Thornton |
| 4 C. S. Pratt | 11 Geo. N. Talbott |
| 5 J. H. Page | 12 Geo. N. Bryant |
| 6 Samuel A. Young | 13 C. C. Mann |
| 7 Wm. C. Jones | 14 Geo. Young |

- 15 W. F. Stewart
- 16 Thos. Campbell
- 17 Luke Corlud
- 18 John W. Clark
- 19 Wm. B. Cockrell
- 20 E. P. Gordon
- 21 E. Crooke
- 22 M. B. Wadelle
- 23 S. N. Warren
- 24 W. S. Burr
- 25 J. A. Smith
- 26 Jesse Nolan
- 27 John Ferguson
- 28 E. F. Bucher
- 29 John J. Lowry
- 30 J. F. V. Thompson
- 31 Geo. W. Allen
- 32 J. W. Wayland
- 33 A. P. Henley
- 34 James McSullivan
- 35 Wm. Grimes
- 36 Wm. Varible
- 37 Ezekiah Muir
- 38 Thos. C. Gordon
- 39 P. L. Penke
- 40 Jams V. Lyon
- 41 W. T. McGlasson
- 42 John Hicks
- 43 F. C. Virian
- 44 Henry Lamite
- 45 Jere. B. Rippey
- 46 David Clifton
- 47 Joseph Allen
- 48 Stephen Lacey
- 49 Smith B. New
- 50 Wade Moseley
- 51 Taylor Cave
- 52 Peter Virian
- 53 Reuben Samuels
- 54 J. H. Hewins
- 55 D. Purlington
- 56 Dudley Hopper
- 57 A. Jones
- 58 Norman Allen
- 59 C. R. Schull
- 60 Colos Day
- 61 Samuel Barker
- 62 Joseph Wolf
- 63 Benj. Vaughn
- 64 John Price
- 65 S. W. Long
- 66 C. C. Bumby
- 67 G. B. Pace
- 68 W. A. Withers
- 69 Geo. Quinsbury
- 70 R. G. Irvine
- 71 John Peratt
- 72 Jas. H. Reed
- 73 Geo. Lechlan
- 74 Sol. Wildes
- 75 Alfred King
- 76 L. W. Roberts
- 77 M. T. Harrison
- 78 N. B. Lewis
- 79 Peter Withers
- 80 L. Clafflin
- 81 O. R. Burns
- 82 Clay S. Cunningham
- 83 Wm. Davis
- 84 Jas. A. Hawley
- 85 R. H. Coutts
- 86 L. P. Wills
- 87 Lewis R. Harrison
- 88 W. C. Schuck
- 89 Thacker B. Webb
- 90 F. N. Davis
- 91 J. P. Powell
- 92 Michael McGill
- 93 Jefferson Morrow
- 94 Nathan Baker
- 95 W. Halbert
- 96 R. S. Crystal
- 97 Wm. H. Oliver
- 98 Wm. F. Harris
- 99 N. M. McClellan
- 100 Joseph Chancellor
- 101 S. C. Harrington
- 102 Wm. Hale
- 103 Geo. Cowhen
- 104 L. J. Pratt
- 105 Stephen A. Walker
- 106 Thos. J. Slade
- 107 Jos. S. Carlisle
- 108 Jos. N. Hargess
- 109 C. H. Loyd
- 110 Jos. G. Fuller
- 111 B. S. Wildes
- 112 R. Crawford
- 113 C. H. Carpenter
- 114 J. B. Taft
- 115 Wm. Drake
- 116 J. M. Neff
- 117 James Crawford
- 118 John J. Barker
- 119 Allen McGee
- 120 Elick Lenson
- 121 Ed. R. Fitch
- 122 L. M. Maxey
- 123 Michael Hunt
- 124 N. C. Ewing
- 125 F. N. Paine
- 126 M. H. Mitchell
- 127 Albert Wright
- 128 John B. Nichols
- 129 Ernn Price
- 130 N. J. Burgamer
- 131 John S. Jones
- 132 W. J. Patten
- 133 Higgin Bothom
- 134 John Z. Matthews
- 135 Wm. Mulky
- 136 Stillman Andrews
- 137 Geo. Muer
- 138 Samuel Merrill
- 139 Meredith Fowler
- 140 T. M. Lewis
- 141 F. M. Smith
- 142 John A. Porter
- 143 Harvey McHadden
- 144 Young Gwin
- 145 Andrew Kilgore
- 146 J. Biddle

- 147 Monroe F. Matthew
 148 Wm. Martin
 149 Wm. L. Smith
 150 John H. Price
 151 John M. Gwin
 152 Robert Anderson
 153 Chatham L. Gwin
 154 Charles M. Dennis
 155 John E. Willis
 156 Henry Anderson
 157 Thomas Emery
 158 Lewis Wilbert
 159 Thomas E. Frisfor
 160 Christo. Estell
 161 Philip Warren
 162 B. J. Collins
 163 John H. Birch
 164 John Lothing
 165 Henry Rhodes
 166 William Cirtly
 167 John Yager
 168 J. Campbell
 169 Alex. McNabsby
 170 Joshua Cummings
 171 G. E. Christian
 172 Geo. Wm. Johnson
 173 Patent Hunt
 174 D. J. Cunningham
 175 Wm. Campbell
 176 L. W. Ficklin
 177 C. Dillard
 178 J. W. Liftwick
 179 R. F. Dunwiddle
 180 William Foster
 181 John J. Simmons
 182 Samuel M. Salter
 183 Jos. M. McDowell
 184 John Gallagher
 185 F. M. Tucker
 186 Jas. F. Robertson
 187 Iron Hunter
 188 Thomas Nelson
 189 Alfred McDaniel
 190 John Speer
 191 Thomas Stark
 192 Newton Mallory
 193 G. H. Gordon
 194 John J. Holliday
 195 Isaac A. Luchly
 196 J. J. Hickson
 197 Jas. E. Corbitt
 198 Jas. R. Anderson
 199 Robert Nelson
 200 Thomas Shelby
 201 —————
 202 Bosely Powers
 203 N. Knight
 204 W. W. Fiend
 205 James Scott
 206 John Neff
 207 F. E. Knight
 208 J. W. Fleeca
 209 Reuben F. Humes
 210 Wm. Edmundson
 211 W. W. Wills
 212 H. Smith
 213 W. Goode
 214 Jas. Fitzpatrick
 215 John Grider
 216 Marshall W. Houston
 217 George Lewis
 218 G. W. Kenig
 219 James H. Lynch
 220 Hampton Green
 221 John F. Woodson
 222 Wm. Hocker
 223 Thos. Hudson
 224 Thos. Callagan
 225 John F. Houston
 226 L. N. Pile
 227 J. F. Swatron
 228 E. R. Barnet
 229 C. L. McGruce
 230 John Lee
 231 Rudolph A. Manger
 232 James Woodson
 233 Jas. H. Cooper
 234 Wm. Harrison
 235 John Duncan
 236 Jas. Whitlock
 237 Randall Sullivan
 238 Jas. G. Moore
 239 R. M. Patton
 240 Michael Grawson
 241 R. Cuskins
 242 M. D. Ramsay
 243 Peter Spunkie
 244 Anderson Hadley
 245 Jas. H. Moore
 246 E. J. Lanchart
 247 George W. Carr
 248 Henry C. Ferriman
 249 E. P. Armstrong
 250 John Russell
 251 C. T. Wood
 252 Charles Smith
 253 L. H. Ballew
 254 Clifton Tonley
 255 William Grinn
 256 N. Grant
 257 Berryman Browa
 258 Thomas J. Murray
 259 Samuel Drysler
 260 J. Walker
 261 —————
 262 John Belt
 263 L. R. Swader
 264 H. N. Bent
 265 John Sims
 266 Henry M. Powell
 267 Thomas Field
 268 Jos. Roberts
 269 Daniel W. Roberts
 270 J. L. Jenkins
 271 Gustavus Brown
 272 Hendley Cooper
 273 E. D. Laid
 274 James Mangon
 275 Thomas J. Jones
 276 J. R. Campbell
 277 J. H. Edward
 278 Berry Tager

279 C. C. Catron	345 Thomas R. Rogers
280 W. B. C. Brown	346 William J. Barker
281 Levi Gates, jr.	347 A. C. Smith
282 G. W. Dietzler	348 S. F. Tappan
283 J. L. Price	349 David Nail
284 Zeas Kirkpatrick	350 John Smith
285 H. P. Mitchell	351 H. S. Crane
286 John Hutcheson	352 John Hagan
287 Horace W. Fisher	353 Thomas E. Jorbert
288 James Withler	354 W. L. Glover
289 H. H. Pearson	355 James Shelton
290 J. H. Kimball	356 William Gores
291 F. O. Jolles	357 James D. Carpenter
292 N. Thomas	358 J. B. Chouteau
293 Francis A. Abbott	359 A. N. Johnson
294 C. C. Kemp	360 Elbridge G. Ross
295 J. C. Mossman	361 D. H. Barney
296 R. M. G. Price	362 G. W. Cunningham
297 Simon Hill	363 William Evans
298 Lashell Carson	364 E. W. Bennett
299 John W. Hubbard?	365 Simeon Cook
300	366 Newman J. Mitchell
301 John W. Barker	367 Clark S. Crane
302 H. R. Blescoe	368 William Allen
303 H. R. Tolson	369 John Wood
304 Lyman Allen	370 James E. Drake
305 Andrew Winn	371 Ellick Collins
306 Brown Chancellor	372 J. G. Price
307 W. L. Halsley	373 Andrew J. Kason
308 J. J. Fleming	374 Lewis Koon
309 Samuel Bell	375 John B. Clayton
310 John Levi	376 Stephen Stafford
311 Daniel L. Crigler	377 William Robinson
312 J. W. Page	378 John Miller
313 Seth W. Tucker	379 Jonathan Roberts
314 Charles Dickson	380 J. F. Withart
315 Isaac Neal	381 R. Woodson
316 F. M. Colman	382 Samuel Stewart
317 O. P. Rippee	383 James Neff
318 Thomas Boute	384 Henry S. McLellan
319 William P. Goodson	385 Edward Gray
320 Zach. Johnson	386 E. R. Johnson
321 Josh. Lewis	387 James E. Page
322 R. E. Evans	388 J. H. Wilder
323 F. M. Adams	389 L. S. Bacon
324 G. F. Wood, jr.	390 J. H. Samson
325 Job Van Winkle	391 E. S. Simms
326 Milton Hall	392 H. E. Babcock
327 John Powell	393 James T. Chapman
328 William Samuels	394 John Doherty
329 James Harris	395 Samuel Moffat
330 Samuel R. Mago	396 William Cummings
331 Thomas Mago	397 A. N. Wilbright
332 Newton Duncan	398 J. A. Price
333 John Milligan	399 George Neff
334 A. Lambert	400 Loden Mansfield
335 J. E. Staples	401 Joseph P. Webb
336 James F. Kemp	402 Charles F. Mago
337 Jonah Wagoner	403 George Long
338 John A. Lowry	404 M. R. Collins
339 John Bishop	405 John Snoddy
340 William Kitchenman	406 W. J. Hewes
341 William Marshall	407 William N. Baldwin
342 Richard Andrew	408 J. F. Baker
343 William Brady	409 Jackson Schlen
344 Nimrod Miller	410 C. E. Cole

- 411 J. N. Bledsoe
- 412 A. G. Tucker
- 413 A. J. Hendrick
- 414 C. W. Fristoe
- 415 B. S. Dinwiddie
- 416 Henry Humphreys
- 417 Thomas H. Browning
- 418 Alonzo Morrow
- 419 Hiram Crocker
- 420 Harrison Crouse
- 421 Leven S. Dockin
- 422 Hendley Cooper
- 423 N. C. Finch
- 424 Wm. Weedon
- 425 Leroy Davis
- 426 James Dysart
- 427 F. M. Sappington
- 428 E. W. Lane
- 429 David McLane
- 430 Wm. Smallwood
- 431 Wm. M. Owen
- 432 J. M. Hines
- 433 Wm. McKeever
- 434 John Boland
- 435 B. C. Brown
- 436 S. L. Carey
- 437 J. P. Lay
- 438 J. Turner
- 439 W. H. Holmes
- 440 Albert Walder
- 441 Jas. G. Baker
- 442 J. Lee
- 443 John Early
- 444 Eli Miles
- 445 Robt. Allen
- 446 Wm. T. Anan
- 447 Thos. E. Carlisle
- 448 Wm. H. Cooper
- 449 John A. Barker
- 450 Wm. A. Jones
- 451 Adam Meinziger
- 452 W. Chin
- 453 Jas. Fleming
- 454 Robt. Edgar
- 455 J. R. Johnson.
- 456 R. Better
- 457 E. D. Lucas
- 458 W. S. George
- 459 Thos. Angeli
- 460 Wm. Boatwright
- 461 Wm. D. Cox
- 462 John Austin
- 463 Thos. Russell
- 464 Jas. F. Samples
- 465 W. C. Bullington
- 466 Simon Hoffer
- 467 Frank Girard
- 468 J. W. Hudson
- 469 Lucien Faries
- 470 John B. Chandler
- 471 Silas Woods
- 472 F. A. Bush
- 473 John W. Golden
- 474 James H. Hayden
- 475 L. H. Karon
- 476 Lewis Criggler
- 477 C. H. Stewart
- 478 T. W. Robinson
- 479 Samuel Scott
- 480 Samuel F. Hicken
- 481 George W. Virian
- 482 James R. Chipley
- 483 David Russell
- 484 A. L. Graves
- 485 Jeff. R. Howard
- 486 L. G. Higgins
- 487 Lysander White
- 488 Ryland Dillard
- 489 Wm. H. Drummond
- 490 James Adams
- 491 Wm. Delaney
- 492 Ambrose Calloway
- 493 George B. Tolison
- 494 R. W. White
- 495 Solon Shephard
- 496 James R. Myers
- 497 Lindley F. Pettre
- 498 James H. Pitta
- 499 Jas. C. Ban
- 500 Wm. C. Yerby
- 501 Chas. F. Overstreet
- 502 John Cooper
- 503 Samuel Bonham
- 504 Richard Patten
- 505 Wm. Lay
- 506 A. J. Fort
- 507 Wm. Lunsbell
- 508 Geo. Graves
- 509 J. Ragsden
- 510 Wm. Curry
- 511 John Crump
- 512 Joel Morrie
- 513 C. M. Neat
- 514 John F. Benwick
- 515 Lafayette Watts
- 516 Abner Davidson
- 517 R. C. Johnson
- 518 Jas. A. Davidson
- 519 Wm. Thorp
- 520 Edward Walker
- 521 Calvin Adams
- 522 Stephen Campbell
- 523 Francis Anderson
- 524 James Zorh
- 525 J. F. Snoddy
- 526 Henry Burnett
- 527 Walter H. Willmot
- 528 J. J. Whitson
- 529 Thos. Burge
- 530 Geo. W. Shoemaker
- 531 M. Beall
- 532 Geo. W. Parker
- 533 David S. Rice
- 534 G. D. Durair
- 535 Jas. A. Hall
- 536 Geo. Young
- 537 Jona. Morse
- 538 Saml. Chickskall
- 539 John O. Talbert
- 540 John B. Fletcher
- 541 James H. Crooka
- 542 Thos. N. Gosney

- 543 James H. Overstreet
 544 Chas. Kelly
 545 Thos. Hopkins
 546 Alonzo Boone
 547 Wesley Forney
 548 Wm. T. Reed
 549 Benj. Cornelius
 550 M. P. McGore
 551 Marcus Kentfro
 552 F. M. Poindexter
 553 C. R. Campbell
 554 C. M. Callahan
 555 Robt. C. Duncan
 556 Thos. H. Cooley
 557 Geo. L. Hodges
 558 Philip Linhart
 559 Wm. Wallace
 560 Thos. H. Morse
 561 Hamilton Thornhill
 562 John Kinkade
 563 James Digby
 564 Jackson Crowley
 565 James McCrory
 566 Sampter Suddard
 567 Zadoc Llewellyn
 568
 569 Wm. Stanley
 570 John Broadhurst
 571 Parkerson Hopper
 572 N. H. McQuirk
 573 Henry D. Keaton
 574 David Thompson
 575 Milford Jennings
 576 Gilbert Jennings
 577
 578 Henry Enson
 579 John Aberlach
 580 John Honk
 581 David Stewart
 582 Thos. Still
 583 F. P. Vaughn
 584 Wm. C. Griffin
 585 J. B. Thomanson
 586 E. S. Ballow
 587 J. R. Saltonstall
 588 Cyrus W. Ballow
 589 James Jackson
 590 Carter Dale
 591 John W. Kinkaid
 592 R. T. Gorham
 593 Wm. Willard
 594 C. W. Cline
 595 G. W. Coffee
 596 George Bopet
 597 Wm. Groove
 598 Jos. Warden
 599 John Peters
 600 Jas. Jackson
 601 Jas. H. Vicehart
 602 Luskell F. Cooper
 603 John Wallace
 604 Jesse Cornelius
 605 A. J. Bernard
 606 A. B. Hill
 607 Wm. Alexander
 608 John Stewart
 609 John F. Bristoe
 610 Benj. Thorp
 611 A. P. Thompson
 612 C. Coleman
 613 Lewis George
 614 Horatio Owens
 615 Thos. Swearinggin
 616 F. N. Moore
 617 John Smith
 618 F. Smoot
 619 R. F. Wagland
 620 J. W. Christian
 621 N. T. Sullivan
 622 Marcellus Care
 623 Geo. Morris
 624 R. Fisher
 625 J. T. Dysert
 626 Benjamin Bedford
 627 Daniel Sulley
 628 T. S. Firman
 629 Edward Smith
 630 G. L. Taylor
 631 J. S. Percival
 632 J. W. Winn
 633 W. W. Thornton
 634 Eli Murray
 635 James Moseley
 636 R. M. Stedf
 637 H. F. Moore
 638 John Wood
 639 Wm. Wood
 640 Wm. Griffin Tates
 641 Isaac Allen
 642 Alexander C. Rogers
 643 Wm. Musgrove
 644 J. J. Waddle
 645 James A. Calloway
 646 Lucius Miller
 647 Phillip H. Pitts
 648 Jackson F. Bunham
 649 Benjamin H. Tollner
 650 P. P. Colt
 651 T. D. Smart
 652 M. Mitchell
 653 M. Mitchell
 654
 655 G. S. Elgin
 656 Erbas Payne
 657 Wm. T. Gordon
 658 Wm. S. Lynch
 659 John C. Neal
 660 John R. Rayner
 661 R. A. Cornelius
 662 Mathew Armand
 663 T. G. Lowry
 664 John P. Sebree
 665 H. C. Hawley
 666 Miles Baldrich
 667 C. M. Oliver
 668 James Howard
 669 P. W. Walton
 670 Wm. H. Bush
 671 Wm. W. White
 672 John M. Watts
 673 James Williams
 674 Morgan A. Taylor

- 675 James C. Ross
 676 Robert Doherty
 677 Warren Smith
 678 Thomas R. Graves
 679 J. O. Shelly
 680 T. L. Edgar
 681 George G. Allen
 682 J. F. Haskell
 683 John M. Jager
 684 R. J. Southard
 685 Judson Cockman
 686 George Smith
 687 Samuel Hardin
 688 John Rogers
 689 Geo. Bruchere
 690 John J. Price
 691 Reese B. Mathews
 692 Wm. C. Jackson
 693 Wm. Arnold
 694 Ebraim Spurer
 695 Charles Martin
 696 James C. Ellis
 697 Nathan Herrick
 698 Mallory Cove
 699 Leander Holt
 700 John Groom
 701 John A. Robinson
 702 L. F. Robinson
 703 Wm. F. Thomson
 704 Benj. F. Barnes
 705 Stephen Clement
 706 Thos. Barker
 707 Green B. Ellis
 708 John Cleringer
 709 J. F. Becket
 710 Adam Gutsler
 711 Douglas Patterson
 712 J. H. Kinkaid
 713 Geo. H. Viley
 714 N. M. Moore
 715 John M. Brown
 716 D. A. Graves
 717 W. H. Mendenhall
 718 Wm. Hotchkiss
 719 David Hudson
 720 Wm. Snow
 721 Allison Vanvinder
 722 Charles Niely
 723 Wm. Sherf
 724 Henry Luse
 725 J. C. Roy
 726 M. H. Kee
 727 David R. Hooper
 728 John L. Hopper
 729 Robert Allen
 730 Conrad Rifer
 731 Wm. W. Randolph
 732 Jas. W. Briggs
 733 Wm. Harmon
 734 R. Lee
 735 Robert Cobb
 736 Wm. C. Berry
 737 Henry Curl
 738 Imilar Franklin
 739 Richard Sherman
 740 Chas. Preston
 741 Frederick Donnelly
 742 Patrick Donelly
 743 N. O. Clayton
 744 S. H. Davis
 745 Francis Eldres
 746 John C. Davidson
 747 H. A. Gallagher
 748 Victor Dunoff
 749 Clark Stearns
 750 Addison John
 751 _____
 752 Samuel Brown
 753 David Muncas
 754 Wierd Wells
 755 Stephen H. Folsom
 756 Albert Hastings
 757 Jordan Davidson
 758 Ira Luddard
 759 John F. Wilson
 760 Thos. Mallochs
 761 Ambrose J. Burk
 762 N. D. Short
 763 Jas. Sharp
 764 B. F. Wood
 765 B. F. McDonald
 766 Oscar Harlow
 767 O. A. Hanscom
 768 J. D. Wisely
 769 J. J. Fort
 770 Howny W. Lewis
 771 G. C. Thompson
 772 Benj. Cooper
 773 Samuel McMahon
 774 D. O. Carver
 775 Wm. E. Radford
 776 J. C. Fore
 777 A. Wilhelm
 778 I. W. Ackley
 779 James M. Clay
 780 John Fry
 781 N. F. Herrick
 782 John Scudler
 783 Charles Jordan
 784 John W. Robinson
 785 D. M. K. Barnett
 786 Wm. A. Holmes
 787 Wm. W. Austin
 788 S. Y. Lum
 789 H. S. Major
 790 A. Payne
 791 J. J. Payne
 792 Joel Grover
 793 J. Ligon
 794 Thomas Johnson
 795 James Coyle
 796 C. G. Hoyt
 797 J. S. Nott
 798 E. F. White
 799 John Ritchie
 800 Horatio F. Archer
 801 John E. Stewart
 802 George H. Wallace
 803 Martin Adams
 804 E. Munroe
 805 Henry W. Gilhart
 806 F. R. Long

- 807 James Miller
 808 J. Chin
 809 John Mash
 810 E. A. Landon
 811 J. B. Smith
 812 J. A. Corlew
 813 L. W. Plumb
 814 Hiram Dunbar
 815 J. I. Foster
 816 John Alexander
 817 E. A. Colman
 818 Hugh Pettingill
 819 Joseph Law
 820 J. A. Lewis
 821 Edward Pickett
 822 Anthony Howell
 823 David Morris
 824 Abram Still
 825 A. Hyle
 826 Thomas Conner
 827 Wm. D. Wells
 828 Locke Adkins
 829 C. Willes
 830 —————
 831 Henry Roff
 832 John L. Gordon
 833 David Pate
 834 Henry S. Everhart
 835 Henry D. Graves
 836 Edward Dickinson
 837 Wm. Lyon
 838 Lewis J. Everhart
 839 Michael Grover
 840 John W. Carlton
 841 A. T. Bassett
 842 O. D. Smith
 843 John Ester
 844 F. Hill
 845 C. W. Rensall
 846 George Churchill
 847 George W. Reid
 848 F. B. Ackley
 849 Lyxander Oliver
 850 Reuben Cornelius
 851 M. Gilmore
 852 Thomas Reed
 853 Thomas Garvin
 854 James Richmond
 855 James Campbell
 856 Samuel Anderson
 857 William Harris
 858 Oliver Hayes
 859 Ira Jones
 860 James Garvin
 861 Samuel H. Davidson
 862 Edward Jones
 863 Jonathan Bigelow
 864 Daniel Sayre
 865 John L. Crane
 866 Austin Cristman
 867 Charles A. Haskell
 868 Robert Maddock
 869 J. W. Hague
 870 G. S. Leonard
 871 W. D. Atwood
 872 C. F. Loy
 873 John Howard
 874 John Derby (oath)
 875 G. W. Hutchinson
 876 J. S. Emery
 877 S. B. Sutherland
 878 Jona. Matthews
 879 Hiram Clark
 880 Charles Harrington
 881 William Yates
 882 J. F. Jalen
 883 S. G. Johnson
 884 G. W. Kent
 885 R. H. Waterman
 886 G. F. Earle
 887 F. Haskell
 888 S. N. Wood
 889 A. D. Searles
 890 C. Teft
 891 N. Snyder
 892 N. Snyder
 893 A. S. Potter
 894 H. A. Hancock
 895 M. Lewis
 896 A. F. Ricard
 897 John M. Bank
 898 C. P. Farnsworth
 899 G. W. Burgess
 900 S. O. Pomeroy
 901 Thomas Bond
 902 B. G. Livingston
 903 Edward Clark
 904 Samuel Kimball
 905 B. Johnson
 906 John Davis
 907 Charles Robinson
 908 Daniel Low
 909 F. J. Locke
 910 J. A. Ladd
 911 S. J. Willis
 912 M. M. Hammond
 913 Ellis Bond
 914 John H. Deane
 915 L. D. Hubbard
 916 H. Bronson
 917 J. H. Miller
 918 J. H. Eliason
 919 B. W. Gantt
 920 E. H. Dermott
 921 Increase Whitcomb
 922 O. H. Bingham
 923 A. A. White
 924 C. C. Preston
 925 John Baldwin
 926 A. B. Wade
 927 John Hutchinson
 928 J. F. Morgan
 929 E. W. Goss
 930 J. H. Firman
 931 Dorril Merrill
 932 Jas. S. Curran
 933 Asaph Allen
 934 George Perrine
 935 J. P. McGogee
 936 A. B. Perrine
 937 T. C. Webb
 938 Elmer Allen

939 Hermann Williams	994 George G. Kimball
940 J. C. Gordon	995 A. F. Whiting
941 C. W. Bulcock	996 Orlando Rawlinson
942 Harrison Nichols	997 O. L. Crosby
943 Geo. A. Gordon	998 N. C. High
944 S. N. Simpson	999 L. Litchfield
945 Wm. R. Lee	1000 H. M. Severance
946 Z. F. Reynolds	1001 H. C. Harman
947 Lemuel Reynolds	1002 Parsons Haskell
948 John Haynes	1003 Edmund Jones
949 E. W. Brown	1004 Charles Liscom
950 J. L. Baldwin	1005 Jos. P. Lockey
951 S. B. Dudley	1006 Anson Abrason
952 Charles Munroe	1007 John W. Luce
953 David Conger	1008 Converse L. Greaves
954 Frederick Kimball	1009 James McGubaums
955 J. T. Grant	1010 Francis Davis
956 Curtis F. Keyes	1011 Moses Bulhard
957 Abram Wilder	1012 Arthur Meean
958 Thos. J. Stone	1013 Wm. W. Henderson
959 George Gilbert	1014 Charles L. Wilber
960 Joshua Smith	1015 H. F. Fisher
961 D. C. Buffum	1016 D. H. Moore
962 O. H. Lamb	1017 Wm. H. Brown
963 William Cheny	1018 Edward Plummer
964 Edward Winslow	1019 J. M. Fogg
965 ————	1020 Z. P. Page
966 John Day	1021 Samuel Hall
967 Charles Campbell	1022 H. C. Gardner
968 Samuel Kennedy	1023 David F. Rieher
969 Jacob E. Stewart	1024 E. S. Scudder
970 J. L. Merrill	1025 Josiah Reed
971 D. L. Wells	1026 Charles Hathaway
972 Adam Willbart	1027 G. H. Folsom
973 J. A. Brown	1028 ————
974 James Carl	1029 Province McDaniel
975 B. F. Hollar	1030 Luther Dume
976 William Carl	1031 Jos. C. Miller
977 Wm. B. Burke	1032 Rufus Learey
978 John Floyd	1033 Geo. W. Ryner
979 Samuel Gray	1034 Gordon F. Carrier
980 Loyd McHerrindin	1035 David Ambrose
981 B. R. Hubbard	1036 Geo. A. Willard
982 Josiah Abbott	1037 H. F. Fort
983 Albert Irish	1038 Theo. E. Benjamin
984 N. E. Bidder	1039 Noah Cameron
985 William Marshall	1040 Jas. P. Wood
986 George Ballinger	1041 Holland Sumner
987 S. Hollister	1042 P. Richmond Brooks
988 George French	1043 David Brown
989 William Gookin	1044 Thomas Brooke
990 Jos. W. Emerson	10 lines for errors
991 Amos Trott	———
992 William R. Rutter	1034 total.
993 James C. Disney	

We, the undersigned, judges of an election held on the 30th day of March, A. D. 1855, at the house of W. H. R. Lykins, in the first election district, for the election of members of the council and of the house of representatives, for the Territory of Kansas, do hereby certify that the following is a true and correct return of the votes polled at such election, [by lawful resident voters,]* viz:

* The words in brackets were erased from printed form.

For members of Council		For members of House Representatives	
Thomas Johnson.....	780	James Whitlock.....	780
Edward Chapman.....	783	A. B. Wade.....	781
Joel K. Goodwin.....	254	John M. Banks.....	781
Samuel N. Wood.....	255	John Hutchinson.....	252
Charles Garrett.....	1	E. D. Ladd.....	253
Noah Cameron.....	1	P. P. Fowler.....	254
		Samuel C. Pomeroy.....	1
		D. L. Croggsdale.....	1
		A. F. Powell.....	1
		Wm. D. Atwood.....	1
		R. G. Elliott.....	1

HUGH CAMERON.
ROBERT A. CUMMINS.
THEODORE E. BENJAMIN.

MARCH 30, 1855.

We, the undersigned, judges for the second representative district in Kansas Territory, do certify, that pursuant to a proclamation issued by Governor A. H. Reeder, dated 8th day of March, 1855, the election was called to order by Hugh Cameron and James B. Abbott, two of the judges appointed by said proclamation. A. B. Blandon not being present, the said two judges filled his place by appointing Robert A. Cummins to fill the vacancy; and James B. Abbott resigning, the other two judges filled his place by appointing Theodore Benjamin to fill the vacancy. The election was then called to order by said judges, and proceeded to receive votes.

James Wheelock received for representative.....	780 votes.
A. B. Wade " "	781 "
John M. Banks " "	781 "
E. D. Ladd " "	253 "
John Hutchinson " "	252 "
P. P. Fowler " "	254 "

James Wheelock, A. B. Wade, and John M. Banks receiving the largest number of legal votes for representatives, are declared duly elected.

Given under our hands and seals this 30th day of March, A. D. 1855, at the house of W. H. R. Lykins, in the town of Lawrence.

ROBERT A. CUMMINS.
THEODORE E. BENJAMIN.

To his excellency Andrew H. Reeder, governor of Kansas Territory:

We, the undersigned, residents of the first district, Kansas Territory, being duly sworn, would respectfully submit the following facts:

We have resided for several months in the above district, and know most of the present residents in said district.

On the 29th and 30th days of March, A. D. 1855, according to our best judgments and estimation, between six and seven hundred armed men, to us unknown, came on the road leading from Kansas, Mo., to this place, and encamped in the vicinity of the polls for this district. On the morning of the 30th, before any voting, most of the above number collected around the polls and kept them in their possession until late in the afternoon, preventing nearly every citizen of this place from voting before about four o'clock p. m., thus occupying the time in casting their own votes.

During the day, violence was threatened to the citizens of this place by these strangers, and as we understand and believe many were thereby put in fear, left the polls and did not vote. During the afternoon of the same day, and during the ensuing night, the whole company started back towards Missouri.

We heard several of the most prominent among their number say that they had come from Missouri for the purpose of voting, and that they should not take the oath required by your excellency, and they intended after voting to return to Missouri. And we further understand and believe that two of the judges of election, officially appointed, resigned, and that their places were filled by men selected by the leaders of the crowd of foreign voters. We believe that Joel K. Goodwin and S. N. Wood for the council, and John Hutchinson, Erastus D. Ladd, and Philip P. Fowler for the assembly, were elected by a majority of the legal votes cast in this district, and should they not receive a certificate of election from your excellency, we would hereby petition that the election of E. Chapman, Thomas Johnson, James Whitlock, A. B. Wade, and John M. Banks, in this district, be declared void, and therefore set aside.

Samuel F. Tappan
Harrison Williams
O. A. Hanscom
C. H. Carpenter
Edward P. Fitch
J. S. Emery
A. D. Searl
Norman Allen

J. C. Gordon
Samuel C. Harrington
G. F. Earles
G. W. Hutchinson
John W. Denis
S. Y. Lum
G. W. Brown
A. H. Mallory

Sworn and subscribed before me this 2d day of April, A. D. 1855.

JOHN SPEER, *J. P.*

A. Allen
Joshua Smith
H. Nichols

J. H. Gleason
John Doy

Sworn and subscribed before me this 2d day of April, A. D. 1855.

JOHN SPEER, *J. P.*

UNITED STATES, }
Territory of Kansas. } ss.

N. B. Blandon being duly sworn, deposes and says, that after his appointment as a judge of election for district No. 1, and immediately

preceding the election held on the 30th inst., he was accosted by certain individuals who represented themselves as citizens of Missouri, and then on their way to Lawrence to vote; and he was asked if he should permit them to vote, and upon his saying that he could not, upon his oath, allow citizens of Missouri to exercise the right of franchise in Kansas Territory, the said individuals attempted to bribe this deponent, offering him money and other inducements to disregard his oath as a judge of election.

And deponent further says, that the persons aforesaid threatened to kill him if he would not allow them the privilege of voting at the said election; and through fear of them and their threats made as above, this deponent did not dare to act as a judge of election on the 30th instant; and deponent says, upon his information and belief, the said individuals were present and voted at the said election.

NAPOLÉON B. BLANTON.

Subscribed and sworn before me this 31st day of March, 1855.

J. S. EMERY, *J. P.*

I, Harrison Nichols, of Lawrence, district No. 1, Kansas Territory, of lawful age, being duly sworn, say that I am constable for the 1st district, and that I was present at the polls all the time of voting on the 30th instant, except about one hour; that I have lived in this district several months, and know by sight or name nearly all the residents in this district. I saw nearly every person who cast his vote while I was present, and should say that over six hundred persons that I never saw until the day of the election, or the day previous, voted. I saw several who I think came into this place on the day previous to the day of election, vote without answering any questions, and without being questioned by the judges of election. That a majority of those unknown to me did not take the oath required by your excellency, but only said they were residents of the Territory and district. I heard Mr. Cummins, one of the judges, say he did not regard the oath required by the governor, and that he should not carry out his instructions.

I saw on the 30th and 29th instant some eight hundred persons come into this place, who remained until the afternoon or night after election, and then started back towards Missouri.

H. NICHOLS.

Sworn before me this 31st day of March, 1855.

J. S. EMERY, *J. P.*

I, David Conger, of Lawrence, Kansas Territory, being duly sworn, say, that I was present at a meeting of a company of several hundred persons, who came into this place, as I understand, on the 29th day of March, A. D. 1855. That I heard a man called, I believe, one Grant,

from Liberty, Missouri, state, in a speech, that they came here to establish squatter sovereignty. That they would, on the morrow, defend this principle, if need be, at the point of the bayonet and bowie-knife. That they had some three hundred more voters than would be required to carry the election, and that two hundred could be spared for Tecumseh; and he called upon that number to volunteer for that point. That a large number did march out for some point.

DAVID CONGER.

Sworn to before me this 31st day of March, A. D. 1855.

J. S. EMERY, J. P.

Further verified by the affidavits of Edwin Bond and Samuel Jones.

SECOND AND EIGHTH DISTRICTS.

This is to certify that the returns of the election held on the 30th day of March, A. D. 1855, in the 2d and 8th election districts in the Territory of Kansas, together with the poll-books, were delivered with the other returns of said election to a committee of the Territorial legislature in July last, and that they were mislaid or lost, and are not now on the files of the executive of said Territory.

THIRD DISTRICT.

I, James M. Small, do swear that I will perform my duties as judge of the election, to be held this day at the house of Thomas N. Stinson, in the third election district of the Territory of Kansas, to the best of my judgment and ability; that I will keep a true, correct, and faithful record or list of all persons who shall vote at said election; that I will poll no ticket from any person who is not an actual inhabitant and resident of said Territory on the day of the election; * * * * * (1) and that I will truly count and record the votes received, and make a true and faithful return thereof to the governor of said Territory.

JAMES M. SMALL.

Sworn and subscribed, March 30, 1855, previous to opening the polls, before me.

JOHN HOMER,
Justice of the Peace.

(1) At this point the following language is erased with a pen:—"and whom I shall not honestly believe to be a qualified voter, according to the provisions of the act of Congress organizing said Territory; that I will reject the votes of all non-residents who I shall believe have come into the Territory for the mere purpose of voting; that in all cases where I am ignorant of the voter's right, I will require legal evidence thereof, by his own oath or otherwise."

For Council.

H. J. Strickler.....370
 Andrew McDonald..... 1

For Representative.

D. L. Croysdale.....366
 C. K. Holliday..... 4
 G. W. Ward..... 1

The undersigned, judges of the election held on the 30th day of March, 1855, at the house of Thomas W. Stinson, in the town of Tecumseh, in the Territory of Kansas, according to the proclamation and instructions of the governor of said Territory, certify, that the judges of said election, appointed by said governor, did, on said 30th of March, and after the hour of 9 o'clock a. m., each severally refuse to join in holding said election; and that after said refusal, the voters on the ground did, by tellers, select the undersigned as judges of said election; and they further certify, that the above is a true and *perfect* tally-list made out, according to the instructions of said governor. from the list of votes polled on that day at said election.

JAMES M. SMALL.
 HORATIO COX.
 JOHN HORNER.

We, the undersigned, judges of an election held on the 30th of March, A. D. 1855, at the house of Thomas N. Stinson, in the third election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz:

1 Smallwood Noland	28 R. F. Stegers
2 John Dane	29 L. Rutner
3 D. Richmond	30 W. Houx
4 John C. Anderson	31 M. Groverer
5 John Bland	32 J. A. McBride
6 David Milton	33 T. Phelps
7 W. H. Linam	34 G. Long
8 O. F. Dougherty	35 W. Riley
9 R. Jones	36 D. Payne
10 G. W. Withers	37 S. Chandler
11 G. W. Hall	38 C. B. Lawe
12 John Jones	39 J. McQuire
13 L. L. Bennett	40 Otho Hall
14 Gibson Thomas	41 A. Daniel
15 John W. Johnson	42 J. M. Adams
16 George Bemick	43 Thomas Pemberton
17 L. Tillery	44 J. F. Beman
18 W. H. H. Candiff	45 H. S. Kelley
19 T. A. Holloway	46 G. Cleveland
20 Reuben Johnston	47 J. M. Baber
21 H. H. Rathiff	48 E. Groust
22 Emmet Allen	49 A. N. B. Hughes
23 J. S. Journey	50 O. C. Steward
24 W. P. Reeder	51 J. L. Whittington
25 G. I. Withers	52 J. N. McBride
26 J. R. Hanson	53 T. Proctor
27 T. W. Johnson	54 R. Strouse

55 M. McConnan	122 J. Michenor
56 H. Waterhouse	123 A. Campton
57 J. P. Bird	124 John Little
58 B. Cherry	125 L. Hays
59 C. N. Robinson	126 S. Smith
60 C. Linsey	127 J. Journey
61 J. W. Lawrence	128 W. B. Howard
62 W. H. Ruple	129 E. V. Shields
63 L. Disert	130 E. A. Wile
64 G. P. Johnson	131 L. Matlocks
65 W. Hall	132 G. A. Yeste
66 R. Tompson	133 Joseph Vaughn
67 R. H. Robinson	134 W. H. Matlocks
68 L. H. Shedd	135 J. A. Barton
69 R. Mayberry	136 R. P. Matlocks
70 C. Carter	137 T. J. Carter
71 C. Duncan	138 J. Strother
72 G. T. M. Harrison	139 J. Piles
73 G. Bowls	140 J. Collson
74 C. M. Palmer	141 H. Morton
75 H. L. Boutt	142 N. Hays
76 D. C. Patterson	143 C. H. Buzzard
77 J. Com	144 E. P. Smith
78 W. W. White	145 P. Woods
79 J. P. Henry	146 D. Colston
80 W. M. Clark	147 J. McConnell
81 J. M. Cavanaugh	148 D. D. White
82 W. Penn	149 J. McConnell
83 J. Estes	150 J. J. Fox
84 J. Gooden	151 J. L. Wyatt
85 S. L. McKinney	152 E. G. Vaughan
86 L. Dunham	153 J. C. Mason
87 P. D. Pollard	154 J. F. Thomas
89 M. Nolan	155 John Crud
90 T. Winslor	156 Thomas Warren
91 R. S. Dukes	157 H. Kerley
92 W. S. Polndexter	158 F. McCrean
93 A. W. Lowe	159 R. Burron
94 Thomas Smith	160 Besl Green
95 J. H. Combs	161 A. N. King
96 A. J. Mapes	162 J. V. Emerson
97 W. Houston	163 J. Piles
98 R. O. Steel	164 W. S. Rodgers
99 R. J. Long	165 L. Scott
100 J. R. F. Hooft	166 H. Stickhall
101 F. A. Wentworth	167 W. Riley
102 J. C. Louse	168 L. W. Swarengen
103 W. A. Sublett	169 C. A. More
104 Philip Chisman	170 H. Hamilton
105 G. M. Wright	171 T. L. Fogle
106 J. M. Liddle	172 G. W. Smith
107 J. B. Davenport	173 R. J. L. Porter
108 J. McMurry	174 W. S. Shortridge
109 R. D. Wood	175 W. Salserwhito
110 G. M. Holloway	176 J. Collins
111 J. C. Ervin	177 L. Steel
112 L. N. Ross	178 James Hunter
113 J. M. Pitcher	179 Charles Coward
114 J. R. Warner	180 T. N. Stinson
115 A. C. Overstreet	181 D. W. Hunter
116 E. A. Hickman	182 W. Smith
117 Jacob Sevabargh	183 J. Smith
118 M. Wilson	184 W. Botts
119 M. J. Collins	185 R. H. Levuggs
120 J. Shelton	186 John Book
121 W. L. Farrah	187 R. Flornay

188 J. C. Riggs	254 A. G. Brown
189 G. W. Hinckle	255 J. C. McCoy
190 E. W. Donaldson	256 T. C. Coons
191 R. H. Mathews	257 G. H. Brown
192 R. Stone	258 A. J. Kelley
193 S. West	259 J. T. Vance
194 J. Easton	260 J. W. Young
195 A. McGraddy	261 W. F. Gordon
196 J. T. Wesley	262 G. C. Beck
197 J. Stavestreet	263 M. Morton
198 B. Wills	264 Ed. Updegraff
199 N. M. Hedrick	265 James Robinson
200 A. D. M. Hand	266 Timo, Malie
201 J. Acres	267 W. M. Aikens
202 H. A. Chancellor	268 W. R. Boggs
203 N. R. McMurry	269 Peter Simmons
204 J. A. Lanchcart	270 W. Haines
205 J. W. West	271 A. G. Mosely
206 J. B. Wood	272 Ed. Byrnes
207 U. G. Reese	273 T. Pichar
208 J. Mecum	274 J. Ellis
209 W. Downen	275 J. T. Ricketts
210 B. F. Wallace	276 F. Jackson
211 H. A. Hunter	277 Thomas P. Woodruff
212 James Hutton	278 James Price
213 H. N. Watts	279 M. George
214 G. B. Warfield	280 J. Anderson
215 James S. Piles	281 R. F. Thompson
216 J. H. Weaver	282 R. H. Hicks
217 J. Imkerson	283 Ed. Nolan
218 C. Copeland	284 C. S. Stark
219 John Homer	285 James G. Adkins
220 Samuel D. McCutchen	286 Thomas Strickland
221 James M. Small	287 A. H. Cravens
222 T. W. Hays	288 George Brown
223 Horatio Cox	289 E. G. Strode
224 A. G. Douglass	290 W. H. Brady
225 A. B. Earl	291 Thomas Hough
226 W. B. Sterrett	292 James Hollen
227 L. B. Kerr	293 L. Jemmerson
228 W. Mattenny	294 R. J. Lumb
229 M. Itule	295 R. S. P. Xley
230 W. Coker	296 M. A. Chudcar
231 Thomas Strode	297 R. M. Leach
232 George Parker	298 W. Presley
233 J. Leddle	299 C. H. Vincent
234 J. K. Waysman	300 L. Hough
235 W. C. Staples	301 R. J. Thompson
236 G. W. Berry	302 J. H. Payne
237 J. H. Warton	303 J. M. Allen
238 W. Hill	304 J. N. Nelson
239 J. M. B. Mauss	305 J. Dunlap
240 L. Hagarten	306 J. Wallis
241 J. B. Clark	307 L. B. Stetler
242 E. K. Atterberry	308 James Waland
243 B. W. Brown	309 Thomas Johnson
244 L. L. Kingsbury	310 Jas. Iyer
245 F. M. Grimes	311 James A. Leach
246 J. H. Hughes	312 J. Morris
247 Solomon Coker	313 W. S. Henry
248 A. E. Tyne	314 James Caradill
249 D. C. Buggs	315 W. H. Abbott
250 R. A. Edwards	316 J. B. Wiley
251 G. W. A. Patterson	317 James Young
252 R. Brown	318 Charles Alexander
253 Peter Croco	319 John Ward

320 Francis Grassmuck	349 W. Stanley
321 Thomas Johnson, jr.	350 John A. Winn
322 H. J. Walker	351 James H. Cowherd
323 H. A. Hutcherson	352 E. J. McClannahan
324 J. M. Dunkland	353 J. M. Edwards
325 Jos. Jeffers	354 J. A. Lobby
326 Hugh Brent	355 Samuel H. Woodson
327 Thomas Arlington	356 W. Daley
328 W. H. Henry	357 William Sumer
329 M. Steward	358 A. D. Mallory
330 John Sailing	359 Frank Moon
331 Fisher Pruett	360 Richard Steward
332 Samuel Hayes	361 James Brant
333 W. H. Maug	362 Thomas J. Crusve
334 George Ward	363 Jos. Drennen
335 A. T. Byler	364 William Mateny, sen.
336 Thomas H. Hendricks	365 J. H. McMurry
337 John Waller	366 L. D. Chilson
338 John R. Price	367 John R. Agch
339 Robert Collins	368 Thomas Guesenbery
340 W. C. Price	369 W. W. Sellery
341 Thomas J. Shaw	370 Richard Hunter
342 J. F. Stonestreet	371 H. G. Guesenbery
343 E. H. McAnahan	372 H. J. Strickler
344 J. H. Hockaday	373 D. L. Croydale
345 James Jackson	374 William Pickercell
346 L. Mason	375 Wm. A. M. Vaughan
347 David Anderson	376 George Holmes.
348 L. Tolliner	

JAMES M. SMALL.
HORATIO COX.
JOHN HOMER.

FOURTH DISTRICT.

We, the undersigned, judges of an election held on the 30th day of March, A. D. 1855, at the house of Dr. J. Chapman, in the 4th election district, first council and representative district for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at said election.

For Councilman.		For Representative.	
Thomas Johnson.....	78	A. S. Johnson.....	77
E. Chapman.....	78	A. F. Powell.....	3
S. N. Wood.....	2		80
J. H. Goodin.....	2		

160

DAVID PULTZ,
THOMAS MOCKBEE, } *Judges.*
J. B. DAVIS,

Poll List.

1 B. T. Kezer
2 John Johnson

3 Reuben Hackett
4 W. W. Mitchell

5 Wm. P. Bailly	43 E. Ponge
6 J. H. Price	44 A. H. Twiman
7 J. O. Bangs	45 G. W. Pool
8 J. F. Lock	46 S. Hamilton
9 Sam'l W. Hamilton	47 Joseph Bradbury
10 J. H. Lockridge	48 Joel Crumton
11 John Thompson	49 J. D. Easy
12 Wm. Cure	50 William Goraut
13 John Homer	51 John Cutleet
14 George Rhodes	52 F. H. Lane
15 Milton Row	53 T. J. Lockridge
16 W. R. Hamilton	54 D. J. Kezer
17 John H. Sanders	55 A. R. White
18 Wm. P. Bruce	56 Ebenezer Dixon
19 P. W. Holly	57 David Pultz
20 J. B. Crucker	58 Thomas Mockbee
21 B. B. Brown	59 T. B. Davis
22 J. C. Sherman	60 C. M. White
23 C. Martin	61 Joseph M. Bernard
24 J. Wilson	62 W. G. Collins
25 Ben. T. Brown	63 C. C. Hamilton
26 W. H. N. Daniel	64 Henry O. Lowdry
27 Daniel Cushenbery	65 Thomas J. Linch
28 Rees B. Young	66 Elizer Hill
29 W. W. McFarlane	67 John Edie
30 B. M. Steele	68 Alfred Dale
31 John Johnson	69 Wm. G. Locket
32 E. T. Douglass	70 Thomas Essicks
33 S. E. Thompson	71 R. B. Harris
34 Sam. Kinsey	72 C. J. Hartly
35 John Ball	73 Wm. Essicks
36 J. T. Kezer	74 S. Witter
37 J. M. Wells	75 Chas. Haming
38 David Tate	76 Richard McCammish
39 R. Ball	77 A. S. Johnson
40 Joel Liscomb	78 Henry Kuntz
41 George Harper	79 Robert Acles
42 H. C. Harper	80 J. Chapman.

We, David Paltz, Thomas Mockbee, and J. B. Davis, do swear that we will perform our duties as judges of the election to be held this day at the house of Dr. J. Chapman, in the 4th election district of the Territory of Kansas, to the best of our judgment and ability; that we will keep a true, correct, and faithful record or list of all persons who shall vote at said election; that we will poll no ticket from any person who is not an actual inhabitant and resident of said Territory on the day of election, and whom we shall not honestly believe to be a voter, according to the provisions of an act of Congress organizing said Territory; and, further, that we will deliver, as soon as possible, the papers to the governor of said Territory.

DAVID PALTZ.
THOMAS MOCKBEE.
J. B. DAVIS.

Sworn and subscribed to before me, this 30th day of March, A. D. 1855.
REUBEN HACKETT, J. P.

FOURTH DISTRICT, K. T., March 31, 1855.

Pursuant to a call, we, the actual residents, met at the house of Silas H. Moore, in said district. On motion, John F. Javins was

called to the chair ; R. Mayfield, secretary. On motion of the house, the president stated the object of the meeting to be to contest the election of the 30th of March, 1855. On motion, a committee was appointed to draught the cause of complaint. On motion, Mr. J. C. Carpenter, Silas H. Moore, S. T. Shore, Samuel Workman, John Wilson, C. Hill, Charles Clark, Peter Baringer, A. B. Gilliland, and J. W. M. Shore, were the committee.

The committee brought in the following report: We, the committee, set forth the cause of complaint to be, that we assembled at the house of Dr. J. Chapman, in the 4th district of Kansas Territory, the place designated by the proclamation for the election to be held for the offices of council and representative, at the hour appointed. The doors of said house were closed, and no persons assembled at the said house. And we, Perry Fuller and E. W. Moore, the appointed judges for holding said election, were informed that the polls were opened some half mile above by David Paltz, James B. Davis, and Thomas Mockbee ; that said polls were opened about 8 o'clock a. m., and that there were some fifty or more non-residents voting indiscriminately, without questioning or oath, with their fire-arms surrounding the polls ; and we, the residents and actual settlers, did not consider the election legal, consequently did not vote at said polls, and retired to our homes.

We, the citizens, do hereby, in witness hereof, annex our names, without reference to party.

John F. Javins, *President*.
R. Mayfield, *Secretary*.

A. F. Powell,
D. A. Barker,
James J. Moore,
John S. Soil,
Franklin Barnes,
Thomas Ditez,
Thomas Shurlez,
Mausfield Carter,
William Moore,
William Grace,
E. Hill,
Samuel T. Shore,
E. H. Berginger,
Christopher Ward,

William B. Hogden,
David Hendricks,
James Scott,
J. E. Carpenter,
Perry Fuller,
E. W. Meire,
John Wilson,
P. Baringer,
J. W. M. Shore,
A. B. Gilliland,
Samuel Wortmain, sr.,
Jannuel T. Shore,
Charles Clark,
Silas H. Moore,
E. Hill.

UNITED STATES OF AMERICA, }
Territory of Kansas. }

Personally appeared before me, the undersigned, an acting justice of the peace, on the 31st day of March, 1855, Perry Fuller and E. W. Moore, and stated that the within cause of complaint is true and correct, to the best of their knowledge and belief.

PERRY FULLER.
E. W. MOORE.

Sworn and subscribed to before me, this 31st day of March, 1855.
REUBEN HACKETT,
Justice of the Peace.

FIFTH DISTRICT.

Returns of Little Sugar Creek Precinct.

We, the undersigned, judges of an election held on the 30th day of March, A. D. 1855, at the house of Isaac D. Stockton, at Little Sugar creek, in the fifth election district, for the election of members of council and the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election, by lawful resident voters, viz :

For Council.		For Representatives.	
A. M. Coffee	31	William A. Heiskell.....	33
David Lykins.....	34	Allen Wilkinson.....	32
Mahlon T. Morris.....	62	Henry Youngar	35
James P. Fox.....	70	Samuel Scott	35
		John Surpell.....	62
		Adam Pore.....	62
		Samuel H. Houser.....	64
		William Jennings.....	66
		William Dyer.....	1

J. D. STOCKTON,
 WM. PARK,
 HIRAM HOWDESHELL, } *Judges.*

Names of voters.

1 S. W. Bowton	28 Thomas Hargus
2 Andrew Tyler	29 Nathaniel Vestill
3 Charles Polk	30 Lemuel Vestill
4 Thomas Sears	31 John Brown
5 Enoch Estep	32 James G. Ray
6 John Estep	33 William Holson
7 Thomas Wine	34 Lemuel Medling
8 James Adams	35 William Medling
9 Zachariah Rowe	36 B. F. Ford
10 M. M. Martin	37 F. E. Mans
11 G. W. Joyner	38 Phineas T. Glover
12 Charles Waggoner	39 Hiram Smith
13 Julius Willhote	40 James B. Pile
14 Harden Goodall	41 J. P. Ford
15 Andrew Owens	42 Abraham Gardner
16 Ambrose Ripley	43 Hiram J. Dingus
17 David C. Finley	44 Francis Medlin
18 Burges Wright	45 John Medlin
19 Calvin Ford	46 Clayton Ellis
20 William Griffith	47 James M. Howell
21 John H. Dwill	48 Benjamin Bunch
22 Abner Hargus	49 Asher P. Wyckoff
23 William Hargus	50 Henry A. Gibbs
24 G. R. Sands	51 Thomas R. Julian
25 T. W. Polk	52 William Murrey
26 Alexander James	53 Samuel Nichols
27 William Doolin	54 Daniel N. McQuickly

55 Nathaniel Lamarr	81 Isaac Hargis
56 James M. Hagins	82 C. W. Hargis
57 B. J. McHenry	83 Francis D. Ford
58 John Fouts	84 G. J. W. Holland
59 J. B. Beece	85 William Young
60 John C. Jameson	86 William Williams
61 A. F. Jackson	87 James Osborne
62 Henry Kidson	88 Henry Miller
63 Matthew Kirk	89 Allen James
64 Levy Ward	90 Benjamin Bartmoss
65 Thomas Duncan	91 John Michiel
66 John Field	92 Isaac Bleckoe
67 Martin B. Reece	93 John Beckett
68 Barney Richardson	94 L. H. Grimes
69 B. F. Thomson	95 Adam Pore
70 Jesse McNew	96 John O. Starr
71 L. C. Susnange	97 John B. Hedelson
72 Wiley B. Pengy	98 Thomas Reece
73 Daniel T. Ficklin	99 Samuel Scott
74 William T. Ficklin	100 James F. Fox
75 Philip Coppel	101 Hiram Howdeshell
76 Leandren Fowls	102 William Parks
77 Alexander Fowls	103 Isaac D. Stockton
78 Peyton Williams	104 David W. Carmon
79 McCall Canavan	105 E. H. Hutchinson
80 C. F. Peckett	

(No affidavit of the judges of Little Sugar creek is on file.)

Returns of Pottawatomic Creek Precinct.

We, the undersigned, judges of an election held on the 30th day of March, A. D. 1855, at the house of Henry Sherman, in Pottawatomic creek, in the fifth election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the vote polled at such election, by lawful resident voters, viz:

For Councilman.		For Representatives.	
A. M. Coffee.....	199	William A. Heiskell.....	198
David Lykins.....	199	Allen Wilkinson.....	198
Mahlon T. Morris.....	65	Henry Younger.....	198
James P. Fox.....	63	Samuel Scott.....	198
		John Surpell.....	61
		Adam Pore.....	54
		Samuel H. Houser.....	64
		William Jennings.....	62
		J. Shuff.....	11
		Scattering.....	6
		SAMUEL C. WEAR, }	
		W. S. FERGUSON, }	Judges.

FIFTH DISTRICT.

We, the undersigned, judges and clerks of an election opened and held at Henry Sherman's, in the fifth district of Kansas Territory, as

well as the voters in said district, do hereby certify that the usual o was administered in due order to William Chesnut, one of the jud of said election, (who was appointed by his excellency,) who as through said election as one of the judges, and boasted that the election was conducted with quietude and harmony, and that he jected to but one vote, which was set aside by the judges. Previou which time he had furnished this same voter, Mr. Devittiers, wit free-soil ticket, thinking he would use it, but, upon seeing this vo offer a pro-slavery ticket, he challenged his vote, and it was set as Testified by us this 30th day of March, 1855.

SAMUEL C. WEAR.
W. S. FURGUSON.
L. P. BARNEBEY, *Clerk*
O. ANDERSON.
O. S. HEATH.
A. CARNES.

(No oath or other certificate on file.)

*A list of voters taken at Pollawatonic Creek precinct, in the Fifth
trict, Kansas Territory.*

1 W. L. Boyce	37 N. Carder
2 G. J. Morce	38 D. Cockerill
3 F. Austin	39 J. Walker
4 A. Wilkinson	40 J. Hinton
5 J. Callaway	41 W. L. Harris
6 J. Callaway	42 J. M. Smith
7 T. F. Shortridge	43 J. Goodwin
8 W. Austin	44 G. O. Washman
9 T. Neal	45 L. G. Fulton
10 Edward Robinson	46 J. F. Brockhart
11 R. Brown	47 J. L. Merrill
12 R. Samuel	48 H. P. Callaway
13 W. Benton	49 W. R. P. Poston
14 B. West	50 H. Whalley
15 J. M. Young	51 James Wyhat
16 J. N. Willett	52 J. R. Williams
17 Wm. Hutchins	53 N. H. Reader
18 A. W. Mour	54 J. E. Atchison
19 R. Brayton	55 F. M. Scott
20 J. Hamilton	56 J. M. Hamilton
21 J. Baker	57 L. M. Herven
22 Wm. H. Williamson	58 J. F. Welsh
23 J. Bryant	59 J. E. Fulton
24 J. Dorey	60 J. H. Menuche
25 E. Fox	61 J. Hegin
26 W. Giffin	62 J. M. Taylor
27 C. Scott	63 W. F. Brown
28 C. A. Brown	64 T. Green
29 A. Patterson	65 J. Robinson
30 H. C. Boostlast	66 J. Easton
31 F. Leysance	67 H. Ronalds
32 F. Collins	68 A. Castle
33 W. C. Bonds	69 R. W. Bonghoyle
34 J. McFaden	70 J. Collins
35 E. Corder	71 T. Wilcox
36 J. Young Sherman	72 A. Corden

- 73 A. J. Willson
 74 E. B. Smith
 76 W. R. Maxwell
 77 W. E. Bosworth
 78 A. Whitsett
 79 S. McCullem
 70 A. Jackson
 81 A. Bemberton
 82 T. Green
 83 J. D. Haker
 84 L. Bemberton
 85 Wm. Mills
 86 J. Bemberton
 87 J. Martin
 88 C. Blackburn
 89 E. Haskell
 90 C. P. Payne
 91 A. Ervin
 92 J. A. Harris
 93 H. Amberry
 94 W. H. Earlin
 95 W. D. Payne
 96 J. F. Yokelchim
 97 W. Bullock
 98 W. Woods
 99 T. Elsie
 100 H. Sussifer
 101 H. Shepin
 102 H. Mills
 103 P. Longuico
 104 J. P. Goodwin
 105 E. Farmer
 106 D. G. Water
 107 A. D. Farmer
 108 J. Preston
 109 T. Good
 110 R. L. Bell
 111 F. Smith
 112 S. T. Salbin
 113 W. Buford
 114 J. Foster
 115 J. P. Macer
 116 J. W. Warrens
 117 J. Austin
 118 F. Walker
 119 S. Swatto
 120 I. J. Smith
 121 R. Austin
 122 C. Bailey
 123 W. H. Blanton
 124 J. C. Brooks
 125 W. S. Bauldwin
 126 J. Bristo
 127 J. A. Green
 128 J. Ment
 129 A. D. Pearson
 130 S. Vanueter
 131 Wm. Yellow
 132 T. F. Freeman
 133 D. Brookhart
 134 H. Asher
 135 R. Maxwell
 136 T. Parker
 137 C. Christin
 138 M. Adams
 139 L. B. Ellis
 140 G. W. Henry
 141 R. L. Burbege
 142 T. P. Seamans
 143 Minor Childs
 144 L. W. Frazier
 145 J. Preston
 146 J. Frazer
 147 C. F. Thompson
 149 J. Buford
 150 C. Butler
 151 J. Anderson
 153 F. M. Thomas
 154 S. Tucker
 155 C. Jackson
 156 J. H. Houser
 157 J. H. Morse
 158 A. B. Jackson
 159 J. B. Hook
 160 H. Bleedso
 161 J. F. Smith
 162 J. W. Green
 163 F. Horde
 164 F. Mori
 165 Roldin Girth, (onth)
 166 W. Long, (onth)
 167 T. Thrinle
 168 T. Atchison
 169 W. H. Day
 170 E. Elliott
 171 N. Williams
 172 A. Finch
 173 S. J. Chaffee
 174 C. G. Groust
 175 J. S. Haffort
 176 W. W. Jones
 177 A. G. Stonpall
 178 F. E. France
 179 W. R. Willmott
 180 J. R. Underwood
 181 J. Grant
 182 J. Ragan
 183 S. M. Hays
 184 J. Rayold
 185 W. Eberhard
 186 J. Hitchings
 187 O. F. Cleaveland
 188 A. Laros
 189 H. Dace
 190 R. Tovey
 191 H. Cock
 192 T. Crawford
 193 W. H. Pinnell
 194 J. Denn
 195 J. R. Ferris
 196 S. L. Adair
 197 J. Yockum
 198 L. Shelds
 199 W. Tayling
 200 J. Rose
 201 H. P. Morse
 202 C. N. Arroll
 203 W. C. Melborn
 204 Adam Curran
 205 A. Carpenter
 206 A. Carr
 207 W. H. Kincade

208 T. B. Morse	238 H. Humphrey
209 N. T. Morris	239 J. P. Barnaby
210 A. D. Cary	240 Wakeman Partridge
211 J. Stedie	241 J. Lescum
212 J. R. Yokum	242 H. Taylor
213 J. Jackson	243 A. Taylor
214 J. D. Swift	244 J. Smille
215 O. C. Swift	245 N. Billinaby
216 T. Jones	246 C. Mellet
217 J. Yelton	247 C. Heath
218 S. M. Merritt	248 J. Hughes
219 L. N. Burt	249 S. Gleason
220 R. E. Franklin	250 S. H. Honser
221 H. Rice	251 J. Swingane
222 C. W. Partridge	252 W. Bradley
223 S. Samuel	253 J. Burr
224 W. Crompton	254 H. Walton
225 E. Vanordike	255 R. F. Harris
226 J. M. Hayes	256 D. R. McInney
227 T. Blair	257 J. McCulloch
228 E. Mowdie	258 T. Ewbanks
229 W. Mowdie	259 H. Sherman, (cont)
230 T. G. Blair	260 T. Whitait
231 ——— Dudley	261 W. Chesnut
232 J. Callaway	262 S. C. Weare
233 P. Carrens	263 W. S. Fergusson
234 J. Whitteman	264 H. Harmon
235 P. Woodbury	265 E. Clayton
236 H. Evans	266 R. W. Sturgeon.
237 J. Heckland	

Poll-book of an election held at Bull Creek precinct, in the fifth ei district, in the Territory of Kansas, at the house of Baptiste P on the 30th March, 1855, for the election of four representative two members of the council for said Territory, begun at 9 o'clock

1 William King	28 Howell Lewis
2 Enos McDaniel	29 Joseph Saunders
3 Lot Coffman	30 Richard Marshall
4 G. Thomson	31 Isaac Vanbiller
5 John Wells	32 Alex. Griffith
6 W. C. Hall	33 Smith Kelth
7 Ed. McTherson	34 Walker John
8 C. Canbo	35 H. L. Truncell
9 A. Harris	36 Thomas Carter
10 Ed. West	37 Alby Edgar
11 Wm. Templeton	38 Albert Williams
12 Jonas Alford	39 M. Graham
13 G. W. Wilson	40 H. T. Young
14 P. T. Reynolds	41 John Harper
15 J. W. Campbell	42 William Ryan
16 John Coome	43 H. G. Plunkett
17 Thomas Sharp	44 Jo. Kimberly
18 Henry Alico	45 John Taylor
19 William McKinney	46 H. C. Taylor
20 Henry Melville	47 R. S. Richie
21 J. Robin-on	48 Elijah Doman
22 Jacob Hicklan	49 Charles Woods
23 Hugh Dickinson	50 Hiram West
24 James Barrett	51 John M. Gentry
25 Humphrey Dobbins	52 John Strong
26 Marcus Gill	53 J. C. Christian
27 John Hicklin	54 N. Byllingale

55 T. J. Smarchisin	119 William Walker
56 William Saunders	120 William Glascock
57 E. White	121 Henry France
58 Robert St. Clair	122 J. H. Warren
59 William Spain	123 Harris Jackson
60 John Wilson	124 F. M. Green
61 Jer. Morgan	125 Thomas Hall
62 Thomas Clayton ^o	126 C. Mockaby
63 C. S. Thornton	127 Samuel Wade
64 William Davis	128 P. W. E. Winston
65 W. Lewis	129 R. Winston
66 Mark Loomis	130 W. W. Britt
67 Dewitt Williams	131 James Landers
68 T. V. Ellis	132 O. P. Thompson
69 Thomas Annut	133 Thomas Hilton
70 Jacob Everhart	134 P. Tyree ^o
71 A. M. Nelson	135 J. W. Reynolds
72 James Atkinson	136 Horace Humphreys
73 W. T. Eulanks	137 J. S. Whitsett ^o
74 J. Dobbins	138 Josh. Kyle
75 N. Dix	139 Noah Redford
76 G. Jones ^o	140 Nat. Hunter
77 J. Hackersmith	141 A. Bradley
78 Sam. Blackburn	142 R. McCord
79 C. W. Dickley	143 Thomas Emmerson
80 E. Marrion	144 David Hinkle
81 W. W. Dunkon	145 F. Young
82 William Jenkins	146 A. Carter
83 G. C. Pulliam	147 W. M. Ervin
84 C. J. Drake	148 William Rice
85 T. G. Curtis	149 Noah Shaw
86 Abner Hicks	150 J. A. Armstrong
87 Shelby Carter	151 F. R. Fields
88 James McFarland	152 Thomas Loman
89 J. North	153 J. C. Dinwiddle
90 James Sydnor	154 W. R. McBride
91 J. Smiley	155 A. W. Pipes
92 C. Mullett	156 George McBride
93 G. W. Zion	157 William Parker
94 James Marshall	158 Lewis Ward
95 J. M. Adams	159 John Cox
96 Thomas Cummins	160 W. T. Gillinwater
97 D. O. Glascock	161 Jo. Dart
98 Thomas Milan	162 W. G. Hiffa
99 J. Snyder	163 T. Toliver
100 T. H. Wilson	164 G. T. Bohon
101 George Jackson	165 S. J. Robinson
102 W. Payne	166 George Shelton
103 James Scroggins	167 James McFadden
104 H. L. Barksdale	168 S. Butts
105 T. Williams	169 Stephen Hobkins
106 Thomas Peyton	170 John Brady
107 J. M. McCulloch	171 A. Young
108 A. G. Nugent	172 Willie McKinney
109 T. Myers	173 Jo. D. Campbell
110 William Bridgewater	174 P. J. Potts
111 Calvin Powell	175 Jo. F. Brooks
112 Henry Chilton	176 J. C. Plunkett
113 E. Triplett	177 Green Boats
114 J. P. Jackson	178 James Cushingthoy
115 H. W. Davidson	179 William K. Jones
116 Charles Treacy	180 F. G. Staples
117 J. D. Walker	181 L. P. Scroggins
118 J. Charles	182 J. E. Lightner

^o Rejected, refusing to swear.

183 James Potts	247 Thomas Glover
184 Daniel Bryant	248 John Bell
185 M. B. Laukford	249 William Baker
186 W. Branden	250 N. Morgan
187 T. J. Hawkins	251 W. L. Freeman
188 D. P. Cook	252 B. P. Campbell
189 B. K. Bowles	253 Lewis Porter
190 Dav. Wright	254 Samuel Smith
191 Henry Gulvin	255 David Lyons
192 Chas. St. Clair	256 T. T. Young
193 Wilson Smith	257 Jesse Smith
194 Joseph Dougherty	258 Richard Kirby
195 Alex. Grogan	259 A. Woolfin
196 J. L. Jackson	260 W. Schuster
197 A. G. Hayden	261 W. A. Molarly
198 Pat. Woods	262 J. McCord
199 E. F. Nettle	263 J. J. Pool
200 Abner Ward	264 E. Edwards
201 Anderson Warren ^c	265 H. N. Bullock
202 John Fanninroy	266 Samuel T. Thistle
203 Mack Cole	267 James E. Davis
204 Jas. Wadef	268 Thomas Simpson
205 Robert Gwyer	269 James Young
206 John Dillard	270 T. Dicks
207 Matella Ferrill	271 J. Alison
208 Ed. Price	272 Spencer Barton
209 V. M. Brady	273 W. Sanford
210 John Fulkerson	274 S. B. Williams
211 Henry Shicks ^c	275 Thomas McMillan
212 John Tiscum	276 William Jones
213 J. B. Haddon	277 Jeremiah Farmer
214 M. D. Warren	278 L. B. Pollitt
215 James White	279 John Baxstun
216 G. W. Williams	280 John Atkinson
217 T. J. Hughes	281 Elsey Triplett
218 Jesse Hargrave	282 T. F. Price
219 William Shaw	283 Alex. Ferly
220 A. B. Taylor	284 Miles Griffin
221 John Jackson	285 James McHenry
222 W. M. Brown	286 William Artman
223 John Westerhouse	287 W. H. Finley
224 Hyram Stephens	288 Thomas Boyce
225 B. Hull	289 Joshua Stewart
226 Thomas McVey	290 John Cook
227 James French	291 J. H. Barton
228 Brah Cooper	292 J. McKeaton
229 William Fields	293 E. M. Schurz
230 H. Palmer	294 Vance Johnson
231 C. Shaw	295 Robert Walker
232 Ben. Rice	296 Charles Sprinkle
233 James Nichols	297 J. A. Hicks
234 J. Collier	298 W. T. Mitchell
235 J. P. Dodd	299 J. M. Gearheart
236 James Martin	300 S. G. Hopkins
237 James Earl	301 Hiram Yeary
238 S. W. Asberry	302 A. H. Mitchell
239 A. Carder	303 William Fleming
240 James Sweet	304 Silas Seward
241 M. T. Wells	305 W. T. King
242 N. McKinney	306 John Bogan
243 O. C. Gann	307 James Shew
244 John Childress	308 E. Howerton
245 Levin Merrill	309 David Lykens
246 Albert Maxwell	310 J. D. Reid

^c Rejected, refusing to swear.

† 9 or 10 years old.

311 Hamilton Warren	353 Alfred Jones
312 T. C. Warren	354 J. G. McDaniel
313 James Skoggs	355 James Besta
314 J. S. Hartman	356 B. F. Payne
315 J. C. McDaniel	357 B. C. Westfall
316 J. H. Arbuckles	358 John J. Park
317 James Brame	359 John H. Clayton
318 William Bush	360 P. N. Smith
319 Henry Snyder	361 John Webb
320 J. L. Farris	362 Samuel Webster
321 Isaac Jacob	363 J. C. Coleman
322 James S. Hall	364 John Bennisey
323 G. W. Stillwell	365 William Wade
324 John Vanhorn	366 W. M. Cooper
325 Jackson Black	367 Harrison Standifer
326 John Hinkle [*]	368 R. P. Ellis
327 H. L. Lyon	369 Josiah Atkinson
328 J. H. Falkerson	370 Pyler Charles
329 Harrison Standerford	371 E. C. Robertson
330 James O. Packard	372 James Moore
331 Eli Miller	373 Robert Hale
332 J. A. Tugle	374 Samuel Williams
333 Madison Marshall	375 L. A. Scott
334 Joseph Beata, jr	376 A. H. McFadden
335 W. L. Ballard	377 Edwin Goodall
336 W. P. Tym	378 Charles White
337 T. J. Hannon	379 James Black
338 J. C. Christopher	380 L. Washburn
339 J. R. Jones	381 H. L. Newman
340 Henry Bracken	382 J. W. Goodwin
341 James L. Childress	383 F. M. Thomas
342 Ben. Johnson	384 Samuel Henderson
343 J. W. Wilson	385 George Wilcox
344 G. W. Bradbury	386 Samuel Shannon
345 W. C. Childress	387 George Barile
346 James Shelton	388 A. F. Sprinkle
347 James B. Hart	389 Arch. Oliver
348 Alex. Houston	390 N. E. Harrison
349 Ben. Kingcald	391 Robert R. Hilcy
350 Israel Standiford	392 W. F. Barker
351 Leonard Bradbury	393 Lewis Peckham
352 Thomas Jefferson	

That the above is a true and correct list of the votes polled at the election as mentioned in the caption hereof, we hereto set our hands this 30th day of March, 1855.

J. J. PARK, *Judge*.
B. C. WESTFALL, *Judge*.
B. F. PAYNE, *Judge*.

J. J. Park, B. C. Westfall, and B. F. Payne, judges of election, were sworn by Adam Carnes, justice of the peace, according to printed form.

We, the undersigned, judges of an election held on the 30th day of March, A. D. 1855, at the house of Baptiste Peoria, in the fifth election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz:

^{*} Rejected, refusing to be sworn.

For members of the Council.		For members of House of Representatives.	
A. H. Coffee	377	W. A. Haskell	377
D. Lykins	376	A. Wilkinson	375
M. T. Morris	9	H. Younger	375
J. P. Fox	9	Sam. Scott	377
		Jno. Surfell	9
		A. Pore	9
		S. H. Houser	9
		W. Jennings	9

Witness our hands this 30th day of March, A. D. 1855.

J. J. PARK,
B. F. PAYNE, } *Judges.*
B. C. WESTFALL,

At an election held at Bull Creek precinct, in the fifth election district, in the Territory of Kansas, at the house of Baptiste Peoria, on the 30th of March, 1855, for the election of representatives and members of the council for said Territory, J. J. Clark and Stephen White, two of the judges of said election, appointed by the governor of said Territory, being absent at nine o'clock a. m. of said day, now, therefore, I, John J. Park, a judge appointed by said governor for said election, being the only one present, do hereby fill the vacancy caused by the absence of said Clark and White, by appointing B. F. Payne and B. C. Westfall judges of said election, and they, said Payne and Westfall, are by me hereby appointed such judges.

Given under my hand, at 9 o'clock a. m., this 30th day of March, A. D. 1855.

J. J. PARK, *Judge.*

KANSAS TERRITORY, *April 3, 1855.*

We, the undersigned, legal voters of Kansas Territory, respectfully represent to your excellency, that at the election held in Bull Creek precinct of this Territory, on Friday, March 30, 1855, for members of council and assembly, the persons who acted as judges of said election were not duly sworn in accordance with your excellency's instructions, and were not, therefore, competent to act as judges of the said election; they therefore pray that no certificate of election for said precinct may be granted, and that the said election may be set aside.

And we furthermore represent, that one of the persons who acted as judge at said election was not a resident of the Territory.

James B. Abbott
George W. Deitzler
P. Grover
Richard Mendenhall
George L. Osborn
S. N. Wood

Lyman Allen
George F. Earl
John C. Gordon
A. D. Searl
Francis Barker.

James B. Abbott being duly sworn, deposes and says the within statements are true to the best of his knowledge and belief.

JAMES B. ABBOTT.

Sworn this 3d day of April, A. D. 1855, before
 SAM'L. D. LECOMPTON,
County Justice, Kansas Territory.

We, the undersigned, judges of an election held on the 30th day of March, A. D. 1855, at the house of Elisha Tucker, in Big Sugar Creek precinct, in the fifth election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify upon our oaths, as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz :

For Councilmen.

James P. Fox..... 16
 ——— Mahlan..... 17
 A. M. Coffee..... 74
 David Lykins..... 74

For Representatives.

John Surplo..... 17
 Adam Poce..... 16
 Samuel H. Hanson..... 17
 Wm. Jennings..... 17
 Wm. A. Haskill..... 74
 Allen Wilkinson..... 74
 Henry Younger..... 74
 Samuel Scott..... 74

JOHN E. BROWN,
 ELISHA TUCKER,
 A. H. SMITH,

Judges of Election.

John E. Brown and Elisha Tucker, judges of election, were each sworn by the printed form before James M. Arthur, as he certifies, before opening the polls, March 30, 1855; A. M. Smith and James M. Arthur by John E. Brown.

We, the undersigned, judges of the present election, do certify this to be a true poll-book of the present election at the house of Elisha Tucker, in Big Sugar Creek precinct:

1 A. M. Smith
 2 Richard Goldon
 3 L. B. Wilson
 4 Rubin Noel
 5 James E. Wadkins
 6 Thomas Smith
 7 Wm. L. Farman
 8 Henry Littlejohn
 9 Silas Young
 10 William Cash
 11 William Perry
 12 Thomas J. Goodman
 13 John G. Robinson
 14 William Clark
 15 William H. Giblin
 16 Robert Osburn
 17 J. B. Fleming

18 James M. Freeman
 19 T. B. Crowder
 20 Ervin Parker.

"I, James M. Arthur, have served to take down the first twenty names, and could not take the twenty-first, by reason of illegality, and resigned."

21 T. J. Raley
 22 D. F. Fleming
 23 G. C. McMich
 24 C. S. Fleming
 25 Josiah Dancel
 26 Richard Simpson
 27 W. C. McMich
 28 Reuben Dunnels

H. Rep. 200—30*

29 J. M. Arthur	61 John Elliot
30 R. M. Dancel	62 Wm M. Smith
31 Jonah Dancel	63 L. M. Elliot
32 B. F. Wall	64 J. W. Ragon
33 J. M. Wall	65 John Mikel
34 W. A. Hinkel	66 George Mikel
35 Allen Stewart	67 William Yealock
36 Jesse Davis	68 Thomas Jackson
37 A. J. Steel	69 James Jackson
38 J. W. Hytton	70 James Prikel
39 J. M. Hampton	71 Edmund Bradford
40 J. W. Hytton	72 George Bolan
41 John Overstreet	73 Nimrod Folsom
42 Ignatius Freeman	74 Wm. T. Hensley
43 Lewis Thomas	75 Stedman Smith
44 David Thomas	76 Benjamin Linch
45 H. W. Younger	77 James Winsor
46 James Murry	78 Elisha Smith
47 Robert Hargrave	79 Adam Ortman
48 J. J. Reynolds	80 James Clemons
49 John B. Robinson	81 Samuel Clark
50 Henry Makiney	82 Claborn Booth
51 Jesse Siero	83 John Perkins
52 A. J. Long	84 Milton Crab
53 S. H. Moore	85 Wm. B. Long
54 Charles Therby	86 David A. Williams
55 Andrew Smith	87 M. C. D. Osborn
56 Claborn Burnett	88 L. M. Love
57 Patrick Hyona	89 L. S. Bridgewater
58 Ransom Elliot	90 J. E. Brown
59 James Walker	91 Elisha Tucker.
60 Lewis Smart	

SIXTH DISTRICT.

We, the undersigned, judges of an election held the 30th day of March, A. D. 1855, at the hospital building at Fort Scott, in the sixth election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election, by lawful resident voters, viz:

For Council.		For Representatives.	
William Barber.....	343	Joseph C. Anderson.....	315
		S. A. Williams.....	313
		John Hamilton.....	35
		William Margrave.....	16

JAMES RAY,
WILLIAM PAINTER,
WILLIAM S. GODFREY, } *Judges.*

Oaths of the foregoing judges according to printed form in district No. 1, before William Margrave, justice of the peace.

List of votes polled at the hospital building at Fort Scott, in the sixth district of Kansas Territory, on the 30th day of March, A. D. 1855.

1 Wm. Barber	63 W. R. Mjor
2 G. Oldham	64 W. Morrow
3 G. G. Boland	65 C. F. Mercer
4 G. W. Oldham	66 J. S. Collins
5 B. T. Wiklusem	67 R. R. Mayers
6 W. T. Oldham	68 W. F. Alexander
7 T. Oldham	69 A. Spuyer
8 H. Martin	70 J. H. Royston
9 R. Beth	71 Chas. Tyler
10 P. Zeal	72 C. H. Collins
11 Wm. Breeze	73 F. Dunn
12 J. N. Cottrell	74 S. McKenn
13 Jno. Baker	75 A. M. Biding
14 M. H. Louri	76 Jas. McKeelhan
15 Jno. C. Seal	77 J. B. Logan
16 A. H. Gilkusem	78 T. A. Wyatt
17 David A. Jones	79 Wm. G. Buckner
18 James Miller	80 A. Snow
19 W. W. Craig	81 Wm. J. Rogers
20 C. Mitchell	82 Jas. McGraw
21 Jas. Hysart	83 G. M. Tucker
22 A. Kirkpatrick	84 Jas. Marr
23 Geo. W. Morris	85 Jas. Mye
24 H. C. Stevens	86 Lewis Parker
25 F. D. Fulkison	87 F. De Witt
26 J. N. Rogers	88 J. B. Smith
27 J. N. Ward	89 Geo. Greer
28 R. L. Negle	90 Preston Tucker
29 Wm. Rogers	91 T. F. C. James
30 J. M. Newman	92 J. B. Ford
31 A. M. Perry	93 C. M. Haynes
32 Wm. D. Davenport	94 E. Allison
33 E. B. Conway	95 H. C. Weiss
34 P. Carmichael	96 Jas. Greer
35 M. Haux	97 E. C. Baydon
36 R. W. Houx	98 J. W. Davis
37 J. D. Davis	99 T. J. Whitlock
38 A. Ingland	100 Wm. Davis
39 T. M. Windren	101 H. Guimshaw
40 L. S. Broyles	102 J. T. Baker
41 T. B. Arnett	103 S. J. Russell
42 E. Gilkusem	104 R. S. Young
43 S. H. Haynes	105 E. Fly
44 L. Hickus	106 S. D. Garth
45 A. P. F. Davis	107 Wm. Kendrick
46 A. Carpenter	108 Jas. Sandy
47 Wm. Kirkpatrick	109 J. G. Ogden
48 T. Watkins	110 D. Gillas
49 F. Diers	111 Jno. Guthrie
50 T. Findley	112 G. C. Bright
51 J. S. Mitchell	113 A. B. Foster
52 E. J. Donshuo	114 Wm. Stevenson
53 Wm. Force	115 Thos. Jacob
54 J. S. Jones	116 Wm. Gillhart
55 G. W. Houx	117 W. J. Dunn
56 H. Davenport	118 E. B. Cook
57 J. L. Huff	119 W. F. Foster
58 T. D. Houx	120 Wm. F. Carpenter
59 R. B. Dawson	121 L. H. Clowers
60 T. T. Huff	122 H. S. Cornneford
61 C. L. Bimar	123 S. Jackson
62 J. R. Courtney	124 H. Watkins

- 125 R. W. Potts
- 126 M. Johnson
- 127 W. H. Davis
- 128 Jno. W. Stevens
- 129 W. C. Esperson
- 130 H. Logan
- 132 J. A. Stollings
- 133 S. Thompson
- 134 H. Vartul
- 135 P. McKeelan
- 136 J. H. Webster
- 137 W. F. James
- 138 D. Scott
- 139 Jno. Briggs
- 140 S. B. Kinder
- 141 Jas. Moschey
- 142 T. A. Huff
- 143 S. J. Huff
- 144 Jno. Huff
- 145 W. H. Finch
- 146 J. Mosley
- 147 T. P. Hatley
- 148 E. Hatley
- 149 G. Kirkpatrick
- 150 M. Calliver
- 151 W. S. Malcomb
- 152 J. M. Duke
- 153 Jno. January
- 154 Wm. January
- 155 W. Arnett
- 156 B. Owen
- 157 Joseph Price
- 158 O. Owen
- 159 J. W. Sharp
- 160 E. Endrix
- 161 F. Alexander
- 162 G. B. Oaks
- 164 Wm. J. Hawie
- 165 J. B. Hancock
- 166 M. Rentsch
- 167 S. Hornspuckle
- 168 Geo. Bleasow
- 169 Wm. Howard
- 170 M. Doyle
- 171 D. Hampton
- 172 J. Harrington
- 173 Jno. Knight
- 174 M. Sellars
- 175 J. M. Foster
- 176 N. G. McKinzie
- 177 J. N. Wilson
- 178 S. Potter
- 179 A. Ward
- 180 J. Weller
- 181 S. P. Ashbey
- 182 H. Ashbey
- 183 Wm. Robinson
- 184 J. Groom
- 185 A. Copushratte
- 186 Jno. Harrison
- 187 W. J. Middleton
- 188 M. McCann
- 189 Wm. Warwick
- 190 E. Baily
- 191 G. B. Greer
- 192 S. Divers
- 193 A. Divers
- 194 G. P. Lowrie
- 195 Jno. White
- 196 M. Wickles
- 197 Jno. Wickles
- 198 A. J. Jones
- 199 A. Grinstead
- 200 J. T. Gillam
- 201 T. A. Cookley
- 202 C. T. Oglesby
- 203 Wm. Ray
- 204 H. Seybot
- 205 J. C. Rothwell
- 206 J. Thyman
- 207 A. T. Blanton
- 208 J. Harrison
- 209 Thos. H. Fox
- 210 Jesse Ray
- 211 H. Coates
- 212 G. T. Jones
- 213 W. P. Mayers
- 214 B. Smith
- 215 Jno. Crook
- 216 Jas. H. Flemming
- 217 Jno. B. Flemming
- 218 J. T. Ray
- 219 B. R. Coneyres
- 220 Jno. Handerson
- 221 Wm. A. Randolph
- 222 Geo. H. Simmons
- 223 W. P. Hubble
- 224 D. S. Harden
- 225 W. M. Cogswell
- 226 Thos. Owsley
- 227 J. S. Hawkins
- 228 H. Smith
- 229 Thos. Taylor
- 230 J. Bohannon
- 231 H. Bleasow
- 232 Jas. Waldron
- 233 G. W. Depp
- 234 Geo. Sivele
- 235 D. Buckhardt
- 236 Geo. Brecker
- 237 N. Godfrey
- 238 J. A. Lew
- 239 E. Dean
- 240 S. C. Bleethings
- 241 James Warson
- 242 C. S. Harris
- 243 R. C. Eidge
- 244 A. H. Major
- 245 T. S. Foster
- 246 W. W. Rentsch
- 247 J. H. McNeil
- 248 S. Reed
- 249 Geo. W. Renrick
- 250 Lewia Davis
- 251 Thos. Norr
- 252 J. Irving
- 253 S. Sharp
- 254 N. H. Bennett
- 255 A. Moodey
- 256 R. F. Hill
- 257 B. Parker
- 258 Jno. Graves

259 S. Webber	305 D. Guthree
260 J. A. Russell	306 W. M. N. Smallwood
261 M. Dawson	307 Z. G. Morris
262 W. A. Wertham	308 N. W. Walker
263 Jas. Sharp	309 Jno. Hamilton
264 Wm. Swindel	310 Wm. Fainter
265 A. V. Bradley	311 S. A. Williams
266 Jas. H. Hudson	312 P. D. Cummings
267 Henry Corwin	313 Levi Kile
268 Wm. Thornton	314 J. C. Anderson
269 J. G. Callison	315 J. Cottrell
270 G. W. Courtney	316 R. S. Bradley
271 A. Mickles	317 D. H. Lesser
272 L. Flocker	318 Jno. Grant
273 G. C. Paine	319 J. Catling
274 S. W. Dodge	320 J. R. Softing
275 Alex. Halstead	321 R. A. Davis
276 Saml. Beaver	322 W. D. Cefuss
277 J. Parrick	223 Thos. Graves
278 Wm. D. Lynd	324 Wm. Watkins
279 Saml. Moore	325 Chas. Passmore
280 P. S. Moor	326 Wm. Bowling
281 J. Field	327 Thos. P. Wood
282 J. H. Adams	328 A. H. Wood
283 S. T. Williams	329 J. W. Arnett
284 W. Hedsaw	330 Chas. Hard
285 H. Sharvers	331 S. H. Leving
286 R. P. Bradley	332 H. T. Wilson
287 Chas. Bartlett	333 Wm. Erving
288 D. L. Bradley	334 Jno. Brown
289 Jno. Culton	335 Wm. Merrick
290 J. Housinger	336 Chas. Milan
291 Jas. Ray	337 Thos. Summers
292 Wm. Marchbanks	338 H. W. Hudson
293 Wm. J. Godfrey	339 A. Hudson
294 J. J. Adams	340 B. Handcock
295 T. J. Coldwell	341 J. Jefferis
296 Wm. Bartlett	342 Wm. Harris
297 F. F. York	343 E. C. Senley
298 A. Rancy	344 Wm. Humphrey
299 H. Pitts	345 Allec. Dugal
300 F. A. Taylor	346 V. Adams
301 Wm. C. Mitchell	347 Jno. W. Bradley
302 D. Greenlee	348 John W. Fly
303 E. Page	349 Wm. Margrave
304 J. W. Danton	350 G. Wood.

Tally-List.

For Council.		For Representatives.	
Wm. Barber.....	343	Joseph Anderson.....	315
		John Hamilton.....	35
		S. A. Williams.....	313
		Wm. Margrave.....	16

SEVENTH DISTRICT.

We, the undersigned, judges of an election held on the 30th day of March, A. D. 1855, at the house of I. B. Titus, in the seventh elec-

tion district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at said election by the lawful voters.

L. H. CHIVINGTON, }
 ANDREW JOHNSON, } *Judges.*
 ELI SNYDER, }

Attest : HIRAM LIGHTNER, *Clerk.*

WILLIAM W. DEBMAN, *Clerk.*

1 Strother Benick	53 J. S. Hoff
2 Jno. P. Smith	54 W. L. Cottingham
3 David Keeney	55 N. H. Brush
4 Wm. Searcy	56 Sam. P. Sanders
5 John Dinscy	57 John H. McKinney
6 C. W. Kinler	58 G. W. Shoemaker
7 Levi Bradley	59 Wm. Hampton
8 W. F. Deering	60 R. A. Hindspeith
9 Jno. R. Mout	61 J. D. Bagley
10 C. J. Barclay	62 Geo. Pole
11 J. D. Seegs	63 J. J. Balwer
12 J. W. Hineseth	64 V. C. Cushingberg
13 A. M. Noland	65 J. F. Itay
14 M. B. Huddling	66 Jesse Morrow
15 Wm. D. Oldham	67 Jno. M. Dixon
16 J. H. Cox	68 Jno. Buckner
17 Wm. Parish, sen.	69 Wm. J. Douglass
18 E. N. Rice	70 S. Franklin
19 E. McHenry	71 Wm. A. Young
20 W. P. Tucker	72 Jno. L. Gregg
21 J. B. Griffith	73 Thos. Smith
22 W. A. Parrish	74 J. D. Hunter
23 T. J. Hickman	75 Dan'l A. More
24 Geo. Simmons	76 J. W. Dorton
25 H. S. Jones	77 W. McKinney
26 Benben Clayton	78 Thos. Keeney
27 H. M. Senxcort	79 H. H. Rice
28 W. C. Teate	80 G. B. Webb
29 R. L. Green	81 J. H. Stevall
30 H. C. Baish	82 C. C. Chiles
31 F. M. McKee	83 Jno. Keeney
32 Jas. F. Mure	84 W. E. Hanson
33 J. H. Brown	85 S. M. Webb
34 B. G. Jeans	86 Caste B. Griffin
35 D. D. Burgess	87 Jno. Bung
36 Wm. E. Franklin	88 Thos. J. Brewer
37 E. F. Ferrel	89 Jno. W. Waits
38 Chas. Griffith	90 Chas. A. Linkinanger
39 Jas. L. Jeans	91 R. S. Price
40 Wm. O. Thompson	92 Fennelin Keeney
41 Finis F. Benick	93 B. H. Bravghwan
42 Wm. Cobe	94 Wm. Johnson
43 Jas. R. Hickman	95 Jno. L. Souse
44 H. E. Shafer	96 F. M. McKinney
45 Wm. C. Cook	97 E. J. Cexley
46 L. H. Spanhoer	98 Jas. S. Snow
47 R. B. Chiles	99 W. C. Hockensmith
48 Jas. Johnson	100 Dhas Gregg
49 C. L. Parrish	101 Wm. H. Kenick
50 J. T. Bartleson	102 Chas. S. Easley
51 E. L. Bowler	103 Archibald Handley
52 J. W. Gilbreath	104 Collins Walker

- 105 Thos. Wolfo
- 106 Jno. Russ-ll
- 107 Wm. H. Franklin
- 108 T. M. Walton
- 109 Jno. W. May
- 110 C. B. McRoberts
- 111 Nelson Shull
- 112 S. D. Muro
- 113 Jno. G. Holloway
- 114 David Ousley
- 115 Jas. S. Nowland
- 116 Jos. Sutrell
- 117 Stephen J. Snow
- 118 John Taylor
- 119 B. B. Cave
- 120 P. F. Hall
- 121 Geo. Tosh
- 122 J. Bennett
- 123 Isaac Winfrey
- 124 L. W. Colcord
- 125 J. Howis Leo
- 126 Wm. R. Cressen
- 127 Isaac L. Coltin
- 128 A. Cogger
- 129 C. M. Lee
- 130 B. D. Scribner
- 131 L. M. Webb
- 132 J. H. Douglass
- 133 T. H. Chiles
- 134 S. J. Smith
- 135 R. R. Fulkinson
- 136 Riley Jones
- 137 C. C. Coules
- 138 Jas. J. Murphy
- 139 Martin R. McDowell
- 140 Wm. J. White
- 141 Jno. W. Clark
- 142 Jno. W. Sharp
- 143 Jas. A. Bolley Jack
- 144 Jas. C. Easley
- 145 Jno. D. Seidmon
- 146 E. C. Rice
- 147 Jas. H. Daniel
- 148 Geo. W. Fridley
- 149 Geo. W. Case
- 150 Sam'l Robinson
- 151 Chas. Duncan
- 152 Geo. W. Redman
- 153 Wm. Muro
- 154 Wm. F. Snow
- 155 A. J. Levgacro
- 156 Henry Hughes
- 157 Jacob Greeng
- 158 Wm. M. Harris
- 159 Jas. Watson
- 160 F. M. Ham-right
- 161 Elijah Spainham
- 162 Isaac Chatham
- 163 S. S. Martleson
- 164 J. W. Cox
- 165 E. Carriger
- 166 Jno. R. Franklin
- 167 R. Snow
- 168 H. W. King
- 169 Asbury Humphrey
- 170 El. T. Noland
- 171 Amos Noland
- 172 W. W. Cox
- 173 Wm. Ish
- 174 Wm. M. King
- 175 Warham Earley
- 176 Rolley Williams
- 177 Rob't W. Buckner
- 178 M. A. Reed
- 179 Chas. G. Brockman
- 180 Minor T. Smith
- 181 D. W. Williams
- 182 David L. Hunter
- 183 E. M. McKee
- 184 Wilson McTaylor
- 185 Milton McMurray
- 186 Thos. White
- 187 T. J. Bradley
- 188 Wm. J. Tucker
- 189 Jas. S. Cogswell
- 190 Wilbur Cunningham
- 191 Jas. Johnson, sen.
- 192 Joseph Howard, jun.
- 193 Wm. C. Estes
- 194 Rufus King
- 195 C. C. King
- 196 B. C. Moore
- 197 L. Cottingham
- 198 Andrew Jackson
- 199 Atheiel Strite
- 200 David Condit
- 201 L. S. Axsel
- 202 Johnson McIntre,
- 203 Wm. A. Stewart
- 204 Wm. F. Harvey
- 205 Lotan Smith
- 206 John Smith
- 207 Isaac B. Ereo
- 208 J. B. Titus
- 209 D. Wright
- 210 Absalom Hover
- 211 Geo. W. Brattam
- 212 Geo. M. Barnes
- 213 Warren M. Haven
- 214 Wm. Grayham
- 215 Joseph McEntro
- 216 M. W. McKee
- 217 Allen Crowley
- 218 John Stevenson
- 219 Francis M. Crowley
- 220 John W. Freel
- 221 John Walkins
- 222 Henry Smith
- 223 Thomas Russell
- 224 Wm. J. Tillinghast
- 225 James Stewart
- 226 H. G. Wood
- 227 Hollom Rice
- 228 A. J. Hyder
- 229 Andrew Johnson
- 230 Eli Sulder
- 231 L. H. Chivington
- 232 W. W. Dedham
- 233 H. Lightner
- 234 Oliver Philip

COUNCIL CITY, March 31, 1855.

To his Excellency A. H. REEDER, *Governor of Kansas Territory* :

We, the undersigned, citizens of the 7th election district, do hereby protest against the election of H. J. Stickler for councilman, and M. W. McGee for representative, for the following reasons, viz: We believe there was a sufficient number of voters from the State of Missouri, who elected the above named persons in opposition to the will of the legal voters of the district. Our reasons are, on the day before the election, about fifty wagon-loads, besides quite a number on horseback, came in and camped near the house of Mr. Titus, and soon after voting, they returned back the way they came. Besides, we heard quite a number acknowledge that they lived in Missouri, and did not intend to live in Kansas. There was but one of the original judges present, and one of those appointed by the remaining judge was a resident of Missouri, by his own acknowledgment, and from the best information we can get, and our asseveration is that the judges were not sworn in. Nor was an oath or affirmation required of any voter.

Hallam Rice
J. R. Stewart
David Condit
Joseph McIntire
P. S. Axtell
Johnston McIntire

Wm. T. Tillingshast
Isaac D. Earl
Absalom Hoover
Jas. H. Young
Edward C. Johnson
Ithiel Strick.

THE TERRITORY OF KANSAS, }
United States of America. } ss.

Before me, the subscriber, a justice of the peace of the 7th district of said Territory, personally appeared Hallam Rice and James R. Stewart above named, who being duly sworn according to law, doth depose and say, that the facts set forth in the above protest are true to the best of their knowledge and belief.

HALLAM RICE.
J. R. STEWART.

Sworn and subscribed before me, this 31st day of March, A. D. 1855.
MARCUS H. ROSE, J. P.

NINTH DISTRICT.

We, the undersigned, judges of an election held on the 30th of March, A. D. 1855, at the house of Robert Klotz, in Pawnee, Kansas Territory, in the ninth election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon oaths, as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz:

1 C. R. Mobley	39 L. Sanders
2 E. Conley	40 Benj. Dickerson
3 W. A. Hammond	41 J. E. Sands
4 Fox Booth	42 James Fleming
5 Chs. F. Hammond	43 Robert Wilnn
6 R. A. Hammond	44 R. W. Sweet
7 Jno. A. Dyer	45 A. Eldridge
8 C. Albright	46 Jacob Schoonmaker
9 M. F. Conway	47 Samuel Billings
10 Wm. Cuddy	48 Nelson Morris
11 A. J. McConnel	49 H. A. Lowe
12 G. W. Marsten	50 G. F. Gordon
13 J. H. Loder	51 Jaris Mott
14 Wm. H. Moore	52 Lemuel Knapp
15 F. G. Lovimaker	53 Jacob Swartwout
16 John O. Long	54 Ira Cobb
17 Abram Barry	55 W. W. Carr
18 Richard D. Wilson	56 E. N. Tripp
19 John Hamilton Scott	57 Henry Schup
20 S. N. Bradford	58 Thom. Merriman
21 Horace Bucklin	59 Ulysses McCoy
22 Chs. Wendknacht	60 Joseph Seale
23 Jacob Shier (sworn)	61 George B. Vansdale
24 Joseph C. Welfelt	62 John Reynolds
25 Stephen L. Horn	63 S. A. Treat
26 Warren Beewith	64 Thomas Reynolds, sr.
27 Benj. F. Green	65 D. R. Perry
28 James Lowery	66 Thomas Reynolds, jr.
29 Jobb Latcher	67 S. B. White
30 Jacob Shelling	68 A. D. Gibson
31 John Ochel (sworn)	69 G. W. Hubble
32 Reuben Klinton	70 John Dixon (sworn)
33 John S. Price	71 John Mcluckie
34 William Bring	72 John Westover
35 Aaron Dutret	73 E. S. Gardner
36 George Taylor	74 A. J. Dolph
37 Wm. Nellman	75 William Erskin.
38 S. K. Mills	

S. B. WHITE,
A. D. GIBSON, } *Judges.*
ROBERT WILSON, }

NINTH DISTRICT—City of Pawnee, K. T.

For Council.		For Representative.	
John Donaldson.....	23	S. D. Houston.....	56
M. F. Conway.....	50	R. Garrit.....	18

In council box there was one blank.

We, the undersigned, hereby certify that the above is a true tally of the votes in the 9th district of Kansas Territory.

S. B. WHITE,
A. D. GIBSON, } *Judges.*
ROBERT WILSON, }

Robert Wilson, J. B. White, and A. D. Gibson were sworn as judges, according to the printed form.

TENTH ELECTION DISTRICT.—*Rock Creek Precinct.*

James Wilson, Francis Bergeron, and Henry Rummelt, sworn as judges according to printed form.

List of Voters.

1 J. W. Leland	13 Joseph A. Myers
2 Robert Berger	14 Michael Rapp
3 Wm. D. Wickes	15 Gabriel Cellar
4 James Wilson	16 Francis A. Bakel
5 Henry Rummelt	17 Theophilus Bakel
6 Francis Bergeron	18 Michael Flois
7 J. D. Adams	19 J. B. D. Frapp
8 Robert Wilson	20 Julius Berger
9 Wm. Seymour	21 John Clark, (sworn)
10 Andrew Noll	22 Henry Rodicks
11 J. H. Hilt	23 Henry Rodicks, jr.
12 Matthias Flois	

We, the undersigned, judges of an election held on the 30th of March, A. D. 1855, at the house of Robert Wilson, in Rock Creek precinct, in the tenth election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz :

For Council.

For Representatives.

Martin F. Conway.....	21	Samuel D. Houston.....	21
John Donaldson.....	2	Russell Garrett.....	2

Witness our hands this 30th day of March, A. D. 1855.

JAMES WILSON,
HENRY RAMWELL,
FRANCIS BERGERON.

TENTH DISTRICT—*Big Blue Precinct.*

March 30, 1855, Marshall A. Garrett, William C. Dyer, Joseph Stewart, sworn as judges, by S. C. Dyer, according to printed form of oath.

List of names supposed to be poll-list.

1 Nathaniel R. Wright	12 Asaph Browning (oath)
2 Luke T. Lincoln	13 James Bishop (oath)
3 S. S. Hiscall	14 Jerome E. Wood
4 J. F. Goodnow	15 Joseph Winterworth (oath)
5 Z. Avey	16 David Gorman (oath)
6 Newel Trafton	17 John Soupine (oath)
7 John Flag (oath)	18 S. D. Dyer
8 Abraham O. Dyer	19 Lewis Soupine
9 W. J. Osborn (oath)	20 W. F. Moses
10 A. Leroy Prentiss	21 Malachi Glenn (oath)
11 John Hoar (oath)	22 T. R. Burney (oath)

23 J. T. Sledman (oath)	47 John Willbar
24 W. S. Lykes (oath)	48 D. A. Russell
25 Paulkner Kennedy (oath)	49 Allen Bidcock
26 Abraham C. Martin	50 W. D. Clardy
27 John Alexander (oath)	51 M. A. Garrett
28 John McIntire	52 S. J. Childs
29 Cyrus Garritt (oath)	53 C. H. Lovejoy
30 Isaac P. Walker (oath)	54 Geo. W. Luckwood (oath)
31 S. R. McElvain (oath)	55 J. Edgar Russell
32 Joseph White	56 Geo. W. Enbank
33 Wm. Walker	57 A. A. Garritt (oath)
34 E. G. Hinton	58 Wm. C. Dyer
35 H. P. Cutting	59 G. Jilton
36 George Frasier	60 A. G. Allen
37 John Phil	61 E. M. Thurston
38 David Hays	62 M. B. Gowers
39 S. D. Houston	63 A. Gowers
40 Wm. Karl	64 S. Hays
41 Wm. Hannah	65 John Hayes
42 Henry Green	66 T. Blackler
43 C. E. Blood	67 G. W. Debots
44 S. Whitehorn	68 Henry B. Gage
45 J. Stewart	69 Hatch Hall
46 J. P. Brayton	

We, the undersigned, judges of an election held on the 30th of March, A. D. 1855, at the house of S. D. Dyer, Blue River precinct, in the 10th election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz:

For Council.		For Representatives.	
Whole number votes cast	69	Whole number votes cast	64
Martin F. Conway.....	42	Samuel D. Houston.....	43
John Donaldson	27	Russell Garrett.....	21
		JOSEPH STEWART.	
		M. H. GARRETT.	
		WM. C. DYER.	

ELEVENTH DISTRICT.

George W. Pence, Wm. P. McLane, and S. N. Spratt, severally sworn as judges according to printed form.

The undersigned, judges of an election held on the 30th of March, A. D. 1855, at the house of Marshall & Woodward, in the eleventh election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz:

For Council.

John Donaldson.....328
B. F. Conway..... 3

For Representative.

Francis J. Marshall.....323

WM. P. McLANE, }
S. N. SPRATT, } Judges.
G. W. PENCE, }

List of votes polled at an election held at the trading house of Marshall & Woodward, in the eleventh election district, Kansas Territory, on Friday, March 30, 1855, in pursuance of a proclamation of A. H. Reeder, governor of said Territory, for the election of a member of council and delegate to the house of representatives.

	Council.			Ho. of Reps.			Council.			Ho. of Reps.
	Donaldson.	Conway.	Marshall.				Donaldson.	Conway.	Marshall.	
1 Samuel Smith.....	1	.....	1	50 John T. Greenwood.....	1	.....	1	.....	1	1
2 Marcus Tinsel.....	1	.....	1	51 A. C. Claik.....	1	.....	1	.....	1	1
3 Levi Knike.....	1	.....	1	52	.....	.....	1	.....	1	1
4 Philip Wambarger.....	1	.....	1	53 Geo. F. Hubbard.....	1	.....	1	.....	1	1
5 John Boyd.....	1	.....	1	54 Robert C. Brown.....	1	.....	1	.....	1	1
6 J. B. Hudson.....	1	.....	1	55 H. G. Woodward.....	1	.....	1	.....	1	1
7 J. G. Hu.....	1	.....	1	56 James Powers.....	1	.....	1	.....	1	1
8 N. B. Tompkins.....	1	.....	1	57 R. F. Bell.....	1	.....	1	.....	1	1
9 James F. Jones.....	1	.....	1	58 Wm. Brundett.....	1	.....	1	.....	1	1
10 Richard Luffield.....	1	.....	1	59 John G. Thore.....	1	.....	1	.....	1	1
11 Moses McGrew.....	1	.....	1	60 Lewis Kiny.....	1	.....	1	.....	1	1
12 James Howas.....	1	.....	1	61 Samuel Wilson.....	1	.....	1	.....	1	1
13 Joseph Lower.....	1	.....	1	62 James Fales.....	1	.....	1	.....	1	1
14 Richard Jacks.....	1	.....	1	63 John Kennedy.....	1	.....	1	.....	1	1
15 Clinton Fugate.....	1	.....	1	64 Michel S. abbe.....	1	.....	1	.....	1	1
16 James Goodrich.....	1	.....	1	65 James HurdickW.....	1	.....	1	.....	1	1
17 Joseph Hunter.....	1	.....	1	66 John Coxis.....	1	.....	1	.....	1	1
18 Wm. F. Tolson.....	1	.....	1	67 Nemo Thompson.....	1	.....	1	.....	1	1
19 James H. Johnston.....	1	.....	1	68 R. C. Frisph.....	1	.....	1	.....	1	1
20 Wm. F. Long.....	1	.....	1	69 Euse Hoy.....	1	.....	1	.....	1	1
21 Geo. W. Bates.....	1	.....	1	70 Arch. F. Brown.....	1	.....	1	.....	1	1
22 John Harners.....	1	.....	1	71 G. M. Hunt.....	1	.....	1	.....	1	1
23 Henry Armstrong.....	1	.....	1	72 John Saunders.....	1	.....	1	.....	1	1
24 Henry Emerson.....	1	.....	1	73 Abm. Hyver.....	1	.....	1	.....	1	1
25 Wm. Herwent.....	1	.....	1	74 P. S. Had-n.....	1	.....	1	.....	1	1
26 Joseph Butler.....	1	.....	1	75 John Wm.....	1	.....	1	.....	1	1
27 James Gordon.....	1	.....	1	76 J. F. Allen, Jr.....	1	.....	1	.....	1	1
28 B. C. Clark.....	1	.....	1	77 T. G. Mattocks.....	1	.....	1	.....	1	1
29 Davis G. Todd.....	1	.....	1	78 James McCallie.....	1	.....	1	.....	1	1
30 James Barum.....	1	.....	1	79 John Reed.....	1	.....	1	.....	1	1
31 John Tompkins.....	1	.....	1	80 John F. Allen, sen.....	1	.....	1	.....	1	1
32 F. L. Mitchell.....	1	.....	1	81 John Burgoine.....	1	.....	1	.....	1	1
33 Thom. Clark.....	1	.....	1	82 Wm. H. Hubbard.....	1	.....	1	.....	1	1
34 Wm. Holt.....	1	.....	1	83 A. Bacom.....	1	.....	1	.....	1	1
35 Willis Gimes.....	1	.....	1	84 G. Hunt.....	1	.....	1	.....	1	1
36 Lewis Modera.....	1	.....	1	85 Thom. B. Awi.....	1	.....	1	.....	1	1
37 J. Talley.....	1	.....	1	86 W. Reed.....	1	.....	1	.....	1	1
38 Wm. Miller.....	1	.....	1	87 Abraham Patter.....	1	.....	1	.....	1	1
39 Samuel Adams.....	1	.....	1	88 S. M. Koot.....	1	.....	1	.....	1	1
40 S. F. Hamn.....	1	.....	1	89 H. Lampson.....	1	.....	1	.....	1	1
41 Martin Raney.....	1	.....	1	90 G. Smith.....	1	.....	1	.....	1	1
42 H. Cummins.....	1	.....	1	91 David Sten.....	1	.....	1	.....	1	1
43 Daniel Farset.....	1	.....	1	92 Elijah Silbers.....	1	.....	1	.....	1	1
44 A. S. Brown.....	1	.....	1	93 Lorrel L. Vhl.....	1	.....	1	.....	1	1
45 Hamilton Brown.....	1	.....	1	94 W. F. Canton.....	1	.....	1	.....	1	1
46 John Norris.....	1	.....	1	95 Samuel Reed.....	1	.....	1	.....	1	1
47 Thom. Wacker.....	1	.....	1	96 R. C. Broka.....	1	.....	1	.....	1	1
48 J. C. Owens.....	1	.....	1	97 Wallace Kirkwood.....	1	.....	1	.....	1	1
49 Richard Taney.....	1	.....	1	98 Wm. Henders.....	1	.....	1	.....	1	1

List of votes—Continued.

		Council.	Un. or Reps.			Council.	Un. or Reps.
	Deacons	Cumvay.	Marshall.		Deacons	Cumvay.	Marshall.
99	Robt. Hoy	1	1	123	John P. Monmouth	1	1
100	Lancel de Riggs	1	174	John Thompson	1	1	1
101	B. Smith	1	175	D. N. Pervin	1	1	1
102	B. Mitchell	1	176	D. B. Allen	1	1	1
103	R. Fitch	1	177	Alex. Larch	1	1	1
104	M. M. Moore	1	178	Wm. James	1	1	1
105	Edith Waitt	1	179	John James	1	1	1
106	Robt. Oliver	1	180	Thos. J. Wilkerson	1	1	1
107	J. C. Conley	1	181	K. Hardy	1	1	1
108	E. Union	1	182	R. Davenport	1	1	1
109	John Combs	1	183	Wm. Struthman	1	1	1
110	F. J. Marshall	1	184	John Huston	1	1	1
111	John Cole	1	185	W. A. Jones	1	1	1
112	H. D. Coldman	1	186	Samuel Gilmer	1	1	1
113	John Marry	1	187	Wm. Townsend	1	1	1
114	J. E. Vance	1	188	John Finch	1	1	1
115	A. D. Hamilton	1	189	Richard Turk	1	1	1
116	Wm. C. Webb	1	190	Samth Yonks	1	1	1
117	James Welch	1	191	Eric Carpenter	1	1	1
118	Edw. Harbo	1	192	Chas. Hendon	1	1	1
119	James Savage	1	193	Jas. Hendon	1	1	1
120	Geo. M. Pirth	1	194	John Lovell	1	1	1
121	Joseph W. La Fure	1	195	George Lovell	1	1	1
122	A. K. Lamb	1	196	John Statham	1	1	1
123	Willis Cole	1	197	J. Lovell	1	1	1
124	James Randall	1	198	John Hock	1	1	1
125	James West	1	199	John Handcock	1	1	1
126	J. Bullard	1	200	Charles Wood	1	1	1
127	H. Q. Smith	1	201	Wm. Bace	1	1	1
128	Samuel M. Call	1	202	W. F. Todd	1	1	1
129	H. N. Henshaw	1	203	Wm. G. King	1	1	1
130	J. McMill	1	204	Asaon Giles	1	1	1
131	R. Bremer	1	205	Jerry Vatum	1	1	1
132	J. E. Beag	1	206	Henry Burt	1	1	1
133	Ralph Auer	1	207	James Lathers	1	1	1
134	T. C. Aurn	1	208	John W. Cox	1	1	1
135	John Crab	1	209	Henry Myers	1	1	1
136	John Johnson	1	210	Samuel Weller (Jr.)	1	1	1
137	Paul Kish	1	211	John Handcock	1	1	1
138	Morris Franklin	1	212	John View	1	1	1
139	J. E. Barker	1	213	John View	1	1	1
140	John Henry	1	214	A. F. How	1	1	1
141	John Bennett	1	215	Wm. Smith	1	1	1
142	James Lunetta	1	216	Arch. M. Jones	1	1	1
143	John Smith	1	217	Samuel Hargrave	1	1	1
144	B. N. Hart	1	218	John Hoels	1	1	1
145	N. C. Boone	1	219	Benj. Whitner	1	1	1
146	James Beck	1	220	James H. Hulse	1	1	1
147	James Shandley	1	221	James Emery	1	1	1
148	Wm. Cox	1	222	John B. Perkins	1	1	1
149	Ja. Ch. Thadde	1	223	H. McLean	1	1	1
150	John Shindley	1	224	Wm. S. Hudson	1	1	1
151	M. C. Robinson	1	225	B. L. Jackson	1	1	1
152	Wm. Head	1	226	Harvey Sharp	1	1	1
153	E. Chynoweth	1	227	Wm. Jack	1	1	1
154	Amos Hild	1	228	Wm. H. Hild	1	1	1
155	John E. Hagg	1	229	Jas. Dobbin press	1	1	1
156	John Burt	1	230	T. N. Brown	1	1	1
157	John Bowers	1	231	Edw. Bridges	1	1	1
158	John on Merion	1	232	Joseph Davidson	1	1	1
159	St. phan Hancock	1	233	Ed on Parfitt	1	1	1
160	C. Butcher	1	234	R. G. Wylie	1	1	1
161	James Butler	1	235	Wm. Horsdon	1	1	1
162	J. Merion Lunde	1	236	John G. Brier	1	1	1
163	M. oses Shoemach F	1	237	H. Bowme	1	1	1
164	St. phan	1	238	Nelson Wadsworth	1	1	1
165	St. phan Peeling	1	239	C. Lynch	1	1	1
166	St. phan Purson	1	240	Thos. Berry	1	1	1
167	John H. Dubon	1	241	Wd. an Timm	1	1	1
168	James Graham	1	242	Robt. W. Smith	1	1	1
169	Geo. W. Briggs	1	243	John Timmer	1	1	1
170	Herb Van Hilt	1	244	J. N. Burns	1	1	1
171	M. F. Carroll	1	245	John Leub	1	1	1
172	Joseph	1	246	Thos. M. J.	1	1	1

List of votes—Continued.

	Council.			No. of Reps.		Council.			No. of Reps.
	Founden	Conway.	Marshall.			Founden	Conway.	Marshall.	
217 James Babson	1	1	1	250	Jose Holman	1	1	1	1
218 Rob. Bachter	1	1	1	251	W. T. Jackson	1	1	1	1
219 N. E.	1	1	1	252	Solo Barot	1	1	1	1
220 C. M. Wood, Jr.	1	1	1	253	Joseph Brown	1	1	1	1
221 A. W. How	1	1	1	254	S. F. Jones	1	1	1	1
222 Henry Nantz	1	1	1	255	Samu Connor	1	1	1	1
223 John Senayd T.	1	1	1	256	Richard Kutz	1	1	1	1
224 C. M. Dany	1	1	1	257	Thomas Wande	1	1	1	1
225 Tim. Muck	1	1	1	258	Thos. Clift	1	1	1	1
226 Geo. Galt	1	1	1	259	Jun. Hinton	1	1	1	1
227 E. N. Price, Jr.	1	1	1	260	George Wassman	1	1	1	1
228 Sidney Douglass	1	1	1	261	Conce West	1	1	1	1
229 Wm. McCaa	1	1	1	262	Peter Higgins	1	1	1	1
230 F. B. Browning	1	1	1	263	Henry Gerhardt	1	1	1	1
231 Samuel C. Coo	1	1	1	264	Jos. Sump	1	1	1	1
232 H. Clay Cunningham ..	1	1	1	265	P. E. Muehl	1	1	1	1
233 John Day	1	1	1	266	Thos. Hachuff	1	1	1	1
234 Cyrus Dodge	1	1	1	267	Thos. Warren	1	1	1	1
235 James Craig	1	1	1	268	Isaac Jerome	1	1	1	1
236 John Cliby	1	1	1	269	John Stone	1	1	1	1
237 Thos. K. Bays	1	1	1	270	John Aker	1	1	1	1
238 J. L. Pott	1	1	1	271	John H. Ferguson	1	1	1	1
239 Hiram Martin	1	1	1	272	A. M. Clend	1	1	1	1
240 Wash. Higgins	1	1	1	273	John Caldwell	1	1	1	1
241 John McMichael	1	1	1	274	Wm. Rowland	1	1	1	1
242 Peter Seng	1	1	1	275	R. M. Clark	1	1	1	1
243 D. M. Meschum	1	1	1	276	George Ordway	1	1	1	1
244 J. W. P. Cate	1	1	1	277	W. P. Hamilton	1	1	1	1
245 James Cunn	1	1	1	278	John James, Jr.	1	1	1	1
246 Washington Berry	1	1	1	279	George Bartlett	1	1	1	1
247 Wm. McMurtry	1	1	1	280	Jeremiah Swallow	1	1	1	1
248 David Wise	1	1	1	281	J. T. Jenks	1	1	1	1
249 Maria E. Fisher	1	1	1	282	J. Maly	1	1	1	1
250 Jackson Fox	1	1	1	283	A. J. Mackey	1	1	1	1
251 John Wallace	1	1	1	284	J. W. Johnston	1	1	1	1
252 T. W. Tamm-bury	1	1	1	285	Asa Wigens	1	1	1	1
253 Le. Conroy	1	1	1	286	Wm. P. McLure	1	1	1	1
254 Louisa Woodward	1	1	1	287	George W. Sene	1	1	1	1
255 P. H. Jones	1	1	1	288	George W. Spratt	1	1	1	1
256 Mary Walby	1	1	1	289	S. N. Spratt	1	1	1	1
257 John Scott	1	1	1						
258 A. J. Johnson	1	1	1						
259 P. M. Woodward	1	1	1						

S. N. Spratt and George W. Pence, sworn according to printed form, as in district No. 1, before Wm. P. McLure, judge and J. P., and Wm. P. McLure, before S. N. Spratt, judge, as judges of the election, held at the house of Marshall & Woodward, in the eleventh election district.

TWELFTH ELECTION DISTRICT.—*Silver Lake Precinct.*

John H. Welles, E. R. Kennedy, and N. K. Winegardner, sworn as judges according to printed form.

We, the undersigned, judges of an election held on the 30th of March, A. D. 1855, at the store of Sloan & Babean, in Silver Lake precinct, in the 12th election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz:

For members of Council.

Martin F. Conway received.....17 votes.
 John Donaldson received.....12 "

For members of the House of Representatives.

Homan McCartney received.....19 votes.
 F. J. Marshall received.....12 "

Witness our hands and seals this 30th day of March, 1855.

N. K. WINEGARDNER, [L. S.]
 JOHN H. WELLES, [L. S.]
 E. R. KENNEDY, [L. S.]

List of voters.

1 H. Wild	17 Robert Aims
2 E. Stephens	18 G. W. Banker
3 D. J. Thomas	19 John H. Welles
4 Job P. Abbert	20 N. R. Wyngardner
5 Joseph Ogce	21 E. Kennedy
6 John G. Ogce	22 T. Denevan
7 Truett Allin	23 John Murphy
8 Robert McNowen	24 Wilburn A. Ely
9 E. L. Young	25 Thomas Fogarty
10 M. B. Blien	26 Charles Coyle
11 L. H. Ogce	27 Charles H. Bollier
12 B. T. Anscum	28 Robert Sheehy
13 B. N. Harris	29 P. Fogarty
14 H. M. Jones	30 M. Birch
15 E. W. Finch	31 F. H. Cuntryman
16 M. A. G. Listick	

TWELFTH DISTRICT.—*St. Mary's precinct.*

Palmer McCartney, Luther R. Palmer, and Alvah Higbee were sworn as judges of election, according to printed form.

Poll list.

1 J. D. Lanley	7 C. Milot, (sworn)
2 A. Higbee	8 O. H. P. Polk
3 Basil Greenore	9 Thomas Quigley, (sworn)
4 L. R. Palmer	10 Philip Wymen
5 G. Booth	11 J. L. Wilson
6 P. McCartney	

[Signed by judges.]

We, the undersigned, judges of an election held on the 30th day of March, A. D. 1855, at the store of B. H. Bertrand, in St. Mary's precinct, in the twelfth election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz:

For member of Council.—The whole number of votes given for council was eleven: John Donaldson received four votes for council, ninth, tenth, eleventh, and twelfth districts; and Martin F. Conway received, for council, seven votes.

For member of the House of Representatives.—Palmer McCartney received seven votes for representative.

F. J. Marshall received three votes for delegate, eleventh and twelfth districts; and Frank J. Marshall one vote for the same.

L. R. PALMER.

PALMER McCARTNEY.

ALVAH HIGBEE.

THIRTEENTH DISTRICT.

We, the undersigned, judges selected by tellers, this the 30th day of March, 1855, do solemnly swear that we will act as judges of the election to be held at Hickory Point, in the thirteenth district, on the above-named day, for the purpose of electing members of the council and house of representatives for the Territory of Kansas, and that we will conduct this election impartially and to the best of our ability in accordance with the act of Congress organizing the Territories of Nebraska and Kansas.

RICHARD CHANDLER.

N. B. HOPEWELL.

WM. M. GARDINER.

Sworn to and subscribed before me the day and year above named.

O. B. TEFF, *J. P.*

We, the undersigned, judges of an election held on the 30th of March, A. D. 1855, at the house of Charles Heard, of the Territory of Kansas, in the thirteenth election district, for the election of members of council and house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz:

R. R. Rees, for council.....	233 votes.
D. J. Eastin, for council.....	233 "
W. H. Tibbs, for representative.....	237 "
B. H. Tombly, for council.....	6 "
A. J. Whitney, for council.....	6 "
C. Hard, for representative.....	3 "
Two blanks in the ballot-box.	

N. B. HOPEWELL,
WM. M. GARDINER,
RICHARD CHANDLER, } *Judges.*

List of voters.

O. G. McDonald
G. C. Clendy
J. S. Burbee
J. T. Graven
F. Jackson

Edward Williams
G. Adkins
W. E. Collins
H. W. Marshall
J. Harris

J. W. Pate	S. J. Brooks
D. Rockbolt	E. W. Mason
J. C. Hawkins	J. Duncan
M. Lee	W. S. Carr
T. J. Gurdy	W. C. Snail
G. K. White	M. Anderson
J. McDaniel	W. Walter
W. H. Arnold	P. Bradley
J. Parr	T. Kennedy
R. Thompson	J. S. Dorsey
T. L. Parrish	W. B. Mitchell
A. Whitlock	F. Sprague
J. Lord	J. Brackenridge
F. Walker	J. S. Wood
J. Duncan	T. J. Richards
C. G. Whitlock	R. Whitehead
W. W. Arnold	J. W. Gow
W. C. Baker	H. Banfield
W. Thompson	C. Storer, (oath)
L. Iikins	O. Smith
J. Weekly	S. Tolson
W. Moutre	W. Crown
E. Henshaw	A. Willa
J. L. Miller	A. Pemberton
A. Everett	G. W. Grason
A. Gregg	J. White
P. Keith	A. Ecton
W. F. Walkup	J. Estis
W. Thatcher	J. N. Willardson
H. C. Arnold	W. D. Kinsey
A. C. Woods	F. N. Gardner
D. Gentry	G. Pasvett
W. R. Davis	C. Vincent
J. Williams	J. Kuskendall
J. T. Wilson	M. B. Menier
Jno. Wilson	J. Falkner
Jno. Cook	W. Pemberton
E. Colegrove	E. D. Neely
G. L. Marret	W. Booth
W. M. Gardner	L. Hincicle
W. Rogers	W. T. Parker
A. Crane	J. Tipton
J. W. Parrish	D. Conway
C. Marin	B. Prather
H. Whitlaw	J. Bretz
A. Chesterson	L. B. Hoy
D. Hunt	H. Powell
J. Walkup	A. Hammond
W. H. Browa	W. A. Burton
R. C. Ewing	C. Moulton
J. S. Malotte	J. Brooks
T. Chinn	G. F. Clemens
S. Almot	W. Faulkner
T. Gregg	W. White
J. Bekcher	El. S. Jones
W. P. Judy	G. T. Hughts
J. Hammond	Jackson Vivion
J. W. Woods	A. A. Ross
J. W. Mitchell	D. Thatcher
W. Brightwell, (oath)	T. Ashes
J. Thatcher	T. Marshall
A. T. Young	E. Fox
J. B. Cox	J. Morris
J. T. Gardiner	W. Hoy
J. F. Gregg	W. M. Jenkins
A. J. Lawrence	J. W. Thompson

D. Johnson
 J. C. Lillard
 J. W. Rickman
 W. Sprague
 J. W. Jones
 W. P. Cox
 R. F. Allen
 C. Hedricks
 G. W. Bridges
 J. Gallaway
 H. Waller
 T. J. Fielding
 E. Marshall
 J. W. Young
 J. Horner
 J. Miles
 J. Williams
 J. B. V. McCall
 A. K. Murny
 P. Fleshaman
 A. Lanchart
 R. Parker
 J. Peters
 T. J. Jones, (south)
 R. Bagby
 J. A. Iced
 A. L. Darby
 T. Marshall
 G. W. Dyer
 W. Carpenter
 H. Holder
 G. H. Holbert
 L. Sheppard
 J. Davis
 D. Gregg
 M. Christerson
 J. Chandler
 L. Cobb
 P. J. Collins
 P. Clem
 J. Berry
 A. Judy
 R. Range
 S. Gotleff
 R. K. Grant
 J. Yocum
 James Gardner
 W. A. Fox
 M. Thomas
 M. Woods

J. Busby
 T. Crone
 S. S. Crosswhite
 J. W. Duncan
 R. R. Coram
 A. Hollyclaw
 H. W. Jinks
 C. H. Larmar
 W. R. Wanton
 B. Brinton
 A. Clark
 R. J. Fulton
 P. Edington
 D. F. Tibbs
 Q. F. Broadhurst
 P. Duffer
 J. R. Beagle
 D. T. Jones
 W. Meridith
 T. Huntington
 J. Ecton
 W. G. Berry
 N. B. Lamar
 S. Hudson
 J. W. Winston
 W. F. Dyer
 A. Estis
 A. J. Morrow
 N. Humber
 J. L. Graves
 L. M. Graves
 W. G. Graves
 R. Grant
 T. P. Chandler
 W. T. Smidtson
 C. Alson
 C. R. Tibbs
 R. H. Dyer
 A. B. Sharp
 R. Chandler
 W. M. Gardiner, sen.
 N. B. Hopewell
 W. H. Tibbs
 John Bradshaw
 Antont Foss
 Chas. Harris
 John Myers
 John Jeffries
 R. M. Carter

THIRTEENTH DISTRICT.—*Second return.*

H. C. Cory, S. B. Ross, and J. Atkinson, were duly sworn as judges, according to the printed form.

We, the undersigned, judges appointed to hold an election in the thirteenth district, to be held at the house of Charles Heard, in said district, after having met at the place and time appointed, and having taken the oath prepared for said judges, we proceeded to open said election, and to receive votes. But on account of the vast number of citizens who had come over from the State of Missouri, and assembled themselves together for the purpose of illegally changing the result

of said election by their illegal votes, and also by assembling in great numbers in and around the window when the legal voters wished to deposit their votes, to the great prevention of the citizens of the Territory, which caused many of the said legal voters to leave said election without voting, on account of the little respect shown them by the citizens of Missouri, which we, the said judges, appointed by your excellency to hold said election, seeing the strong determination on the part of citizens from Missouri to vote, and no citizens of said district voting or offering to vote, we thought it our duty to decline sitting as judges at said election on account of said illegal voters.

We, the undersigned judges, certify that this is a true return of the facts and proceedings of this day, in a very brief manner, to the best of our knowledge and belief.

Yours, truly,

S. B. ROSS.
H. C. CORY.
J. ATKINSON.

FOURTEENTH DISTRICT—*Burr Oak Precinct.*

Albert Head, H. J. Johnson, and Cary B. Whitehead, judges, were duly sworn according to printed form, in district No. 1, before Thos. W. Watterson, J. P.

List of the voters of Burr Oak precinct at an election held at the house of Milton E. Bryant, on the 30th of March, A. D. 1855, before the undersigned judges, duly qualified and sworn by Cary B. Whitehead, Albert Head, and H. J. Johnson.

1 E. Blackston	26 J. Lewis
2 Thomas H. Baker	27 Peter A. Roke
3 M. Die	28 Wm. M. Morgan
4 Samuel Montgomery	29 Mathias Rapp
5 F. Ridge	30 J. W. Smith
6 B. D. Hazelwood	31 J. H. Merrill
7 B. E. Lowen	32 W. H. Allen
8 Wm. N. Irish	33 Samuel Pills
9 F. B. Anderson	34 J. D. Armstrong
10 E. G. Robinson	35 J. Peters
11 James Sollers	36 John M. Tracy
12 James Watterson	37 John Doyle
13 Thomas J. Dowlen	38 Anderson Gladden
14 John Edmonson	39 Henry Lewis
15 William Thomas	40 H. Joyl
16 Oly Evans	41 Robert Whiteell
17 James Graham	42 John W. Copeland
18 Jackson Thornton	43 J. D. Lawhorn
19 Joseph Shum, (oath)	44 N. Bell
20 George Shum	45 Mathew Elliotte
21 William Jordan	46 R. Myers
22 Andrew A. Hare	47 H. Jackson
23 William Decherd	48 H. Thompson
24 William Ridge	49 M. T. Sweeney
25 A. Lamun	50 E. K. King

51 James Roberts	118 J. M. Grooms
52 Theod. Longtour	119 N. Holmes
53 William Shelton	120 Q. Ball
54 James Loughton	121 E. Merrill
55 L. D. Cook	122 F. Duval
56 E. Egan	123 J. Randolph
57 E. Smith	124 J. C. Stunoff
58 C. L. Parker	125 John Fee
59 P. Lowrie	126 E. F. Wells
60 R. Todd	127 Iona James
61 Wm. A. Tubble	128 Jacob Cogdell
62 S. M. Gordon	129 H. G. Gordon
63 J. Denoble	130 John P. Munch
64 O. Herlen	131 Philip James
65 Joseph Ashley	132 J. R. Gilson
66 J. Coke	133 Thomas Chaffee
67 J. W. Stephens	134 Steward Cameron
68 Edward Snider	135 H. H. Woodson
69 F. Beaumont	136 Andrew Cowen
70 K. Asborn	137 Levi Lynn
71 E. P. Weaver	138 J. P. Ewin
72 Leander McClellan	139 A. D. Dougherty
73 Jacob Sonder	140 J. Confin
74 James Loud	141 J. Craft
75 S. L. Sollers	142 William Davis
76 W. Matthews	143 John Daugherty
77 S. P. Blair	144 H. G. McClintock
78 Paul Meunon	145 Benj. Spronse
79 Presten Riones	146 James O'Toole
80 Benjamin Duncan	147 Sam. Gordon
81 E. Mason	148 L. Teagarden
82 S. G. Floyd	149 Peter Cadue
83 Wm. J. Boland	150 Major Adair
84 L. Copeland	151 John Kelley
85 J. H. Parker	152 Lout Tribble
86 J. C. Copeland	153 G. Kelley
87 W. D. Moore	154 S. K. Cambell
88 M. Osburn	155 A. Tribble
89 B. Kern	156 Chiles Cravein
90 H. D. Adams	157 Levi Shepherd
91 F. Mowrie	158 John Trotman
92 H. Smallwood	159 H. L. Creal
93 W. H. Gillispie	160 John Truman
94 Wm. McGreu	161 F. Larun, (oath)
95 W. Chapman	162 C. Slemmer
96 W. Ayers	163 Alex. Newby
97 Isaac Thornton	164 Thomas Howel
98 Daniel Morrow	165 James Taylor
99 Merrill Willis	166 Isaac Legar
100 C. Mowrie	167 Count Forlen
101 J. W. Smith, jr	168 Robert Reed
102 Wm. B. Shonpe	169 Doct. T. Pierce
103 C. H. Rodgers	170 G. W. Gillespie
105 P. Y. Roberts	171 H. A. McClintock
106 J. M. Pormer	172 R. B. Agree
107 S. Kirkpatrick	173 Ely Copeland
108 John F. Bradley	174 J. Welch
109 John Pecan	175 Johnson Carson
110 T. Reed	176 J. W. Collins
111 T. Trunt	177 J. J. Lowelady
112 R. H. Brock	178 Moses McMahan
113 John Arnold	179 Wm. J. Copeland
114 John Henderson	180 S. H. Roscoe
115 John Copeland	181 C. M. Gilmore
116 J. Kendall	182 W. H. Burns
117 W. Palmer	183 W. Stunoff

184 M. E. Bryant	244 E. Campbell
185 George Kincade	245 H. B. Sparks
186 Wm. Laforge	246 W. K. Richardson
187 Ed. Walto	247 James M. Teagarden
188 Joseph Baker	248 T. M. Moss
189 J. F. Dozal	249 A. D. McDaniel
190 J. Morris	250 Frank Kensler
191 D. A. Pugh	251 E. Richardson
192 Horace Lyon	252 W. R. Roberts
193 Frost Snow	253 Peter Munroe
194 Chas. B. Weightman	254 S. W. Woodcock
195 Henry Root, (oath)	255 Samuel Vincent
196 Francis Murphey	256 W. M. Drake
197 John Wise, (oath)	257 William Nichols
198 Casper Lorman	258 Wm. P. Richardson
199 Benjamin Hordenly	259 T. W. Waterman
200 G. W. Davis	260 William Robertson
201 A. F. Burns	261 Emmet Fulkerson
202 A. Armstrong	262 E. M. France
203 John Beattie	263 H. C. Wrose
204 O. H. P. Craig	264 L. F. Carpenter
205 E. M. William	265 Absalom Grooms
206 James Howel	266 Elig Gilliam
207 Benjamin Samuel	267 John Hobaln
208 John McCafferty	268 A. J. Benson
209 Joel P. Blair	269 H. H. Chamley
210 C. W. Stewart	270 E. Taylor
211 Newton R. Carter	271 David Todd
212 Nimrod Duncan, sr.	272 Philip Korlen
213 E. M. Gilliam	273 Hyran Karam
214 G. W. Baker	274 S. D. Cowen
215 G. W. Davis	275 Mark Vaughan
216 Thomas Bloukenship	276 Minrod Bachele
217 Francis Young	277 B. Dodd
218 D. B. Tendal	278 Samuel Anderson
219 J. P. Hopman	279 Jacob Osenburger
220 Mathew Ibis	280 James Wichel
221 William H. Davis	281 Abram Lynch
222 Franklin Kune	282 John C. Wood
223 William Salley	283 William Authine
224 William Dodson	284 James W. Davis
225 James Shaw	285 James McGraft
226 M. Moupin	286 E. S. Stutson
227 T. B. Gorden	287 Richard Morris
228 M. M. C. Williams	288 S. W. Morris
229 Joseph Succiff	289 S. E. Morris
230 James Otval, sr.	290 R. L. Morris
231 S. H. Pendleton	291 Hiram Davis
232 Yarnig Owen	292 G. B. Groomer
233 Allen G. Mousfield	293 W. J. Palmer
234 Thomas C. Stewart	294 Burtles McCaul
235 C. L. Hardy	295 William G. Fee
236 T. A. West	296 William Gregor
237 John K. Johnson	297 J. R. Whitehead
238 W. Craig	298 D. Otval
239 James Gillespie	299 Tapley Ralph
240 John S. Tisdale	300 Albert Herce
241 Charles V. Bird	301 Cary B. Whitehead
242 M. Ashburn	302 H. L. Johnson
243 M. B. Wood	303 Wm. A. Hill

We, the undersigned, judges of an election held on the 30th day of March, A. D. 1855, at the house of Milton E. Bryant, in the Burr Oak precinct of the fourteenth election district, for the election of members of council and of the house of representatives for the Ter-

ritory of Kansas, do hereby certify, upon our oath as judges of said election, that the following is a true and correct return of votes polled at such election by lawful resident voters, viz:

For Council.		For Representative.	
Wm. P. Richardson.....	234	Joel P. Blair	256
John M. Whitehead	68	Thos. W. Watterson....	258
		John Fee	2

Which were all the votes polled on the day and year above mentioned.

CARY B. WHITEHEAD, }
H. J. JOHNSON, } *Judges.*
ALBERT HEAD, }

FOURTEENTH DISTRICT—*Doniphan Precinct.*

N. J. Ireland, judge of Doniphan precinct, subscribed and sworn to the oath, per printed form, before William P. Lamb, another judge of election, and then administered the same oath to William P. Lamb and A. H. Dunning.

We, the undersigned, judges of an election held on the 30th day of March, A. D. 1855, at the house of J. W. and J. F. Foreman, Doniphan precinct, in the fourteenth election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz:

1 W. H. Hinckman	27 Nath. C. Squier
2 George Mitchell	28 Wm. Brown
3 W. E. Rucker	29 Wm. Sutton
4 Jesse Elliott	30 N. H. Jacobs
5 John Phelps	31 J. Newman
6 John N. Johnson	32 A. J. Plumers
7 R. E. Stuttard	33 F. B. Davidson
8 W. E. Golden	34 John A. Thomas
9 Isaac T. Lewis	35 F. G. Oxley
10 Richard P. Haw	36 L. L. Bowles
11 Wm. Robinson	37 W. C. Geter
12 Thos. A. Morris	38 John W. Harris
13 Geo. A. Morris	39 N. R. Green
14 Adam Needles	40 Wm. K. Alexander
15 James M. Holland	41 Wm. L. Davis
16 John G. Downing	42 J. T. Reed
17 Thos. P. Knight	43 John E. Ball
18 W. N. Bragg	44 B. Crabb
19 E. J. Ray	45 Jas. J. White
20 B. F. Lucas	46 M. A. Lovelady
21 J. O. Bywaters	47 Henry Deer
22 W. S. McDaniel	48 John Harris
23 Robt. M. Offutt	49 John Christopher
24 John Cram	50 David Frank
25 Allen Favue	51 Henry C. Grove
26 P. W. Bywaters	52 James Jacobs

- | | |
|-------------------------|-------------------------|
| 53 Robt. Cobbell | 119 Payton Tydus |
| 54 John M. McCormack | 120 S. K. Wagers |
| 55 F. Scanlin | 121 Joseph Taylor |
| 56 W. D. Adams | 122 A. C. Johnson |
| 57 And. Chenoweth | 123 J. M. Hazard |
| 58 John Bennett | 124 W. V. Odus |
| 59 W. H. Martin | 125 J. B. Regney |
| 60 Congrave Warden | 126 John Wiser |
| 61 Leonard C. Crabb | 127 H. Taylor |
| 62 James H. Davis | 128 John Taylor |
| 63 Amos Crutchfield | 129 Wm. Ninemans |
| 64 Wm. Isaacs | 130 V. Thomasson |
| 65 Jesse Shepherd | 131 Alfred Fenton |
| 66 B. H. Wilmott | 132 Daniel Smoot |
| 67 S. T. Harper | 133 S. T. Walters |
| 68 D. W. Martin | 134 Thomas Rhea |
| 69 W. Simons | 135 E. S. McCubbin |
| 70 John H. Farmer | 136 Mathew Wills |
| 71 H. J. Cowes | 137 Samuel Taylor |
| 72 W. W. Reynolds | 138 James Carter |
| 73 Albert Fletcher | 139 Charles Place |
| 74 W. F. Martin | 140 Geo. A. Biango |
| 75 Sidney S. Canter | 141 C. Newman |
| 76 J. K. Dixon | 142 Isaac B. Williams |
| 77 M. B. Wilson | 143 Thos. C. Doxy |
| 78 John H. Briscoe | 144 F. M. McVey |
| 79 Luther Bartlett | 145 Albert Kinn |
| 80 John Ingram | 146 J. H. Basingame |
| 81 John Doyle | 147 Coleman Riddle |
| 82 Alfred Dodson | 148 E. S. Mitchell |
| 83 W. S. Hughes | 149 Geo. W. Carp |
| 84 Wm. Bywaters | 150 H. W. Hudnell |
| 85 B. M. Bradford | 151 Jesse Mercer |
| 86 Calvin Wilkison | 152 Jesse Morin |
| 87 James V. Cross | 153 Samuel Collins |
| 88 Wm. Powell | 154 A. Morrill |
| 89 Noah Pincher | 155 S. J. Carter |
| 90 R. B. Slaton | 156 Geo. V. Little |
| 91 Thomas Murphy | 157 Geo. Million |
| 92 Geo. T. Challice | 158 Thos. J. Stratton |
| 93 D. H. P. Hammons | 159 H. W. Cross |
| 94 James Wallace | 160 Wm. Dorr |
| 95 W. H. Cook | 161 Jos. B. Stockton |
| 96 Alsalom Tagart | 162 Alfred Rocket |
| 97 C. W. Spencer | 163 Joseph Crumwell |
| 98 Eli Hamilton | 164 Jenson Cragrove |
| 99 Mathew Hall | 165 Joshua Sanders |
| 100 Wm. Moore | 166 Uriah Miller |
| 101 Wm. E. Thomas | 167 W. G. Tate |
| 102 Hugh Garnett | 168 Drake McDowell |
| 103 Occhuell Smith | 169 Wm. Young |
| 104 R. N. Darr | 170 Alma Brinker |
| 105 Chas. S. Nevley | 171 W. F. Tate |
| 106 L. F. Hume | 172 Isaac Martin |
| 107 M. A. Clemens | 173 Richard J. Williams |
| 108 Robt. H. Stephenson | 174 Daniel Sharpo |
| 109 Thos. J. Plummers | 175 Etam Emerson |
| James Plumers | 176 Ira Norris |
| 110 Thos. Faulkner | 177 John Galbray |
| 111 E. P. Perkins | 178 Noah Gore |
| 112 J. M. Plumers | 179 G. Page |
| 113 Wm. H. Miller | 180 G. L. Gore |
| 114 Leonidas Oldham | 181 John Martin |
| 115 A. W. Hughes | 182 Dudley McVay |
| 116 John Robinson | 183 D. C. Judy |
| 117 Clinton Right | 184 Jas. Mitchell |
| 118 | 185 Leroy Bean |

186 R. S. Whorton	252 John Barker
187 Wm. Black	253 B. M. Hancock
188 Pat. McVey	254 Smith Kennell
189 Geo. M. Waller	255 P. M. Lucas
190 W. C. McVey	256 J. R. Black
191 Thomas Sweeton	257 E. Harris
192 J. H. Robinson	258 Samuel Swinney
193 J. A. McVey	259 W. S. Pennington
194 J. F. Pendleton	260 Robt. English
195 E. Watson	261 Aaron Stanton
196 Wm. Jackson	262 Isaac Cheniworth
197 John R. Mobley	263 Joseph Rath
198 John Grace	264 Geo. Sumner
199 R. Black	265 J. T. Hinton
200 Wm. Smith	266 A. Brown
201 Wm. Galbreth	267 W. C. Barker
202 John Wischart	268 Eli J. H. Russell
203 Charles Cummings	269 John McNance
204 W. Stewart	270 George Buck
205 W. Black	271 H. C. Davis
206 John Saunders	272 J. Carson
207 F. Pepper	273 C. J. Yeary
208 A. Taylor	274 H. B. Yeary
209 E. B. Dixon	275 J. H. Yeary
210 H. R. Watson	276 J. C. Marion
211 Richard Vost	277 C. W. Barker
212 J. H. Canlee	278 A. Cox
213 D. S. Young	279 David P. Ringo
214 Josh. McQueen	280 William Denning
215 L. A. Rutledge	281 J. M. Perce
216 H. Zutt	282 J. F. Cordonia
217 Jas. Black	283 Andrew Abbott
218 David Fiser	284 Richard Hiseb
219 Geo. Hollinsworth	285 Daniel Lamb
220 John Snyder	286 John Silverthorn
221 H. Adams	287 Robert Ewing
222 Thomas Plimmons	288 John Alcorn
223 Josiah Howard	289 Pettis Wade
224 Wm. McGinnis	290 Wm. Vineyard
225 Jerry McCune	291 R. Smith
226 Francis Mitchell	292 Robert Davis
227 E. C. Mason	293 J. L. Campbell
228 Sam. Dixon	294 Robert Shortridge
229 James Cornell	295 Henry Chubb
230 Wm. Irvin	296 Squire Wade
231 Geo. Cater	297 W. Allen
232 Eli Ward	298 Thomas Saunders
233 C. W. Hubbard	299 Wilhelm Poppys
234 Henry Williams	300 James F. Forman
235 W. H. Elliott	301 Joel Snider
236 John Cummings	302 George Wilson
237 Alex. Vineyard	303 G. T. Noxley
238 R. Hudson	304 Henry Judah
239 B. Brady	305 Jacob Goshor
240 S. Hudson	306 William Moore, jr.
241 B. O. Driscoll	307 H. J. Johnson
242 D. B. Hart	308 R. T. Gillespie
243 Wm. Christopher	309 J. H. Stringfellow
244 Geo. W. Lexington	310 Andrew Jackson
245 Wm. Ager	311 L. Dickerson
246 R. Bly	312 E. Falwell
247 J. H. Gilbert	313 B. W. Jones
248 Wm. Twedell	314 Henry McCune
249 John Hammer	315 Robert H. Newton
250 Wm. Thomas	316 George Gheeter
251 Norman Alexander	317 Henry Stapert

318 James Lynch
 319 D. D. Hendricks
 320 Matthew Fitzpatrick
 321 James M. Crawford
 322 Allen M. Baker
 323 Richard Tuck
 324 John Chandler
 325 B. G. Wells
 326 John McQueen
 327 Aaron McQueen
 328 Phineas B. Page
 329 John Landis
 330 William T. S. Chudys
 331 J. J. Graves
 332 J. B. Griffin

333 Thomas H. Covington
 334 Robert Rockey
 335 William Chamberlain
 336 J. N. Snyder
 337 Wm. C. Wells
 338 Wm. Roberts
 339 Joel Ryan
 340 George Wells
 341 W. P. Lamb
 342 M. J. Ireland
 343 Alex. H. Dunning
 344 J. A. Vanarsdale
 345 R. S. Kelley
 346 John Burns

And we further certify that, on the day aforesaid, none of the judges of the above-named election being present at 9 o'clock, a. m., at the above-named precinct, the undersigned were, by the voters of the aforesaid precinct, duly elected judges of said election.

WILLIAM P. LAMB, }
 N. J. IRELAND, } *Judges.*
 ALEX. H. DUNNING, }

We, the undersigned, judges of the election held at Doniphan precinct, hereby certify the whole number of votes received to be 345.

For Council.

James M. Forman..... 343

For Representatives.

J. H. Stringfellow..... 313
 Richard L. Kirk..... 292
 G. A. Cutler..... 30
 T. Vanderslice..... 4
 John Landis 25
 Joel Ryan..... 18
 S. K. Miller..... 2

Given under our hands this the 30th day of March, A. D. 1855.

WILLIAM P. LAMB, }
 N. J. IRELAND, } *Judges.*
 ALEX. H. DUNNING, }

FOURTEENTH DISTRICT—*Wolf Creek Precinct.*

Emerson V. B. Rogers, Granderson R. Wilson, and James M. Irvin severally subscribed the printed form of oath, but no signature is attached to the jurat.

We, the undersigned, judges of an election held on the 30th of March, A. D. 1855, at the house of Aaron Lewis, in the Wolf River precinct, 14th election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz:

For Council.

John W. Forman..... 74

For Representatives.

J. H. Stringfellow..... 57
 Richard L. Kirk..... 52
 G. A. Cutler..... 15
 J. Ryan..... 8
 T. J. Vanderslice..... 1
 John Landis..... 8

E. V. B. ROGERS, }
 G. R. WILSON, } *Judges.*
 J. W. IRWIN, }

List of voters.

1 Daniel Frichard	41 Isaac Buster
2 Daniel Graves	42 John Acord
3 Anderson Sharp	43 W. Lewis
4 Henry Welsh	44 Daniel Johnson
5 A. Q. Rice	45 Alfred Gillmore
6 John Freeman, (oath)	46 G. W. Gay
7 Sannel Yerkley	47 John Allpey
8 George W. Delamore	48 John P. Johnson
9 Wm. B. Dunking	49 Milton Ult
10 H. W. Foreman	50 Rhanalph Stallard
11 W. B. Reeler	51 Thos. Allen
12 D. Vanderslice	52 David E. Martin
14 Nelson Rogers	53 George Jesse
15 Richard Leach	54 Jas. Martin
16 Aaron Lewis	55 C. Serls
17 Isaac E. Craig	56 Harden Riddle
18 George Brown	57 R. M. Gillmore
19 J. S. Pemiton	58 Josephus Ult
20 Peter Minbeer	59 W. M. Gillmore
21 Wm. Vickers	60 G. R. Willson
22 Amos Critchfield	61 Thos. Fitzhugh
23 Harding Critchfield	62 Lewis Davis
24 F. M. Tufts	63 Samuel Williams
25 Jas. Vanderslice	64 James Williams
26 Laban Frichard	65 Jackson Becker
27 Wm. Vanderslice	66 Chas. Blakelay, (oath)
28 P. A. Hooper	67 E. B. Richardson
29 Silas Stone	(Judge resigned)
30 H. O'Neal	68 Jonathan Springer
31 Thos. Martin	69 Henry Emley
32 G. A. Culter, (oath)	70 E. V. B. Rogers
33 Wm. Hammer	71 James M. Ervin
34 Samuel Berright	72 A. F. Ansburn
35 R. Dunkin	73 Eli Gabberd
36 S. G. Fish	74 Joseph Rice
37 Geo. E. Glass, (oath)	75 A. J. Rice
38 W. W. Jugg	76 Robert G. Maxwell
39 Aaron P. Gyrick	77 C. McCain
40 David Bogard	78 Morgan Jones

FIFTEENTH DISTRICT.

We, the undersigned, judges of an election held on the thirtieth day of March, A. D. 1855, at the house of Charles Hayes, in the fifteenth election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby

certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election, by lawful resident voters, viz :

For Councilman.

D. A. N. Grover.....	411
J. Freeland.....	1

For Representative.

H. B. C. Hams.....	412
J. Weddle.....	412

In testimony whereof, we, as judges of said election, have hereunto set our hands and seals, this 30th day of March, A. D. 1855.

E. R. ZIMMERMAN.

T. J. THOMPSON.

M. T. BAILEY.

Oaths of the foregoing judges, according to printed form, in district No. 1, before E. R. Zimmerman and T. J. Thompson.

1 S. W. Tunnel	40 George Shotridge, S
2 M. J. Hich	41 H. W. Lyon, S
3 John Eldridge	42 Benjamin Smith, S
4 F. F. Couch	43 J. M. Bradley
4 Wm. Logan	44 J. Dillard, S
5 B. A. Jones	45 Thomas Barber, S
6 J. H. Gant	46 Thomas Godard
7 Thomas Vizinli, S	47 James Hoshges
8 Wm. Bunnell	48 James M. Owen, S
9 E. Palmer, S	49 E. E. Bywaters
10 Henry Weathers, S	50 John Davenport
11 G. D. Gant	51 D. A. Stout
12 W. S. Gant	52 A. B. Mitchel
14 J. L. Johnson, S	53 G. W. Culver
15 Isaac Palmer	54 J. Dunneyhoe
16 W. H. Middleton	55 Isaac McOwin
17 G. Jones, S	56 J. Holmon, S
18 J. H. Ricks, S	57 K. Woods, S
19 T. J. Medlingly	58 Samuel Smith
20 G. W. Spenser	59 B. Griffin, S
21 D. R. Kenshal	60 John Jones
22 Lewis Warner	61 J. W. Smith
23 Andrew Baydson	62 John H. Hightown
24 J. T. Baley	63 John M. Browning
25 C. C. Brodman	64 F. C. Hercey
26 J. T. Moore	65 J. Covington, S
27 Benjamin Dunkin	66 Israel W. Swon
28 J. W. Man	67 O. H. Jackson, S
29 J. Dean	68 J. W. Moore
30 J. W. Foster	69 W. J. Furgeson, S
31 S. K. Hays	70 J. B. Byelstaff
32 Wm. Jackson	71 A. M. Creek, S
33 Wm. Lucy, S	72 John Weathers
34 J. B. Dean, S	73 B. J. Chapman
35 Robert Kid, S	74 J. W. Chester
36 R. C. Combs	75 M. M. Winner
37 J. M. Mayo, S	76 J. B. Gurnett
38 George Kitcain	77 B. F. Browin
39 J. Steel	78 J. L. Hall, S

- 79 Warren Sahall
 80 Samuel Thomas
 81 H. Sweny, S
 82 John Furney
 83 P. T. Easley
 84 J. J. Alexander
 85 G. S. Palmer
 86 W. C. Simford
 87 Peter Orsion, S
 88 H. M. Crumley, S
 89 Robert Hooks, S
 90 James Atkins
 91 Perry Collins
 92 Thompson Montiel
 93 J. Besheld
 94 W. White, S
 95 Lesson Maser, S
 96 John Paukie
 97 James Moore, S
 98 Oliver Swinney
 99 H. Block, S
 100 Madison Albon
 101 George Jones
 102 B. S. Guitan, S
 103 T. W. Long
 104 D. C. Farron
 105 F. T. Godard
 106 S. M. Hale, S
 107 J. M. Lewis
 108 Isaac Dale
 109 J. D. Long
 110 Thomas Onley
 111 W. W. Bond
 112 D. W. Ruel
 113 S. M. Bomon
 114 L. Leach
 115 J. M. Pendleton, S
 116 Wm. Hanson, S
 117 John Covington, S
 118 C. C. Perkins, S
 119 N. Mapin, S
 120 B. F. Moore, S
 121 J. Black, S
 122 A. Loward, S
 123 J. W. Shotwell, S
 124 N. Walker, S
 125 O. Ramsey
 126 Wm. Grooms
 127 James Cooley
 128 John Ramsey
 129 T. J. Bohanan
 130 M. V. Thomas
 131 D. Johnson
 132 W. S. Jordan
 133 H. J. Baley, S
 134 W. Paton
 135 J. Tolery, S
 136 A. B. Owen, S
 137 J. H. Richardson, S
 138 John Lewis, S
 139 Charles Patten, S
 140 Henry Essex, S
 141 J. Packer, S
 142 Wm. Mugenson, S
 143 Thomas Henderson, S
 144 James Johnson, S
 145 James Douglas, S
 146 A. S. Fry
 147 B. Cuck
 148 J. F. Spears
 149 H. B. Colehan
 150 C. S. Kilman
 151 C. M. Hays
 152 Jamer Blake
 153 J. Slamon
 154 Jow. Hamlet
 155 A. Allen
 156 J. H. Bradley
 157 George Croosey
 158 J. M. Chrismon
 159 James Lewis
 160 John Welch
 161 John Keller
 162 J. A. Henderson
 163 B. G. Brooks
 164 John Goff
 165 G. M. Tilford
 166 Joseph Henderson
 167 H. Gilbert
 168 David Ross
 169 Samuel Ross
 170 C. Jones
 171 E. Monzier
 172 W. G. Mosh
 173 E. F. Persons
 174 A. C. Alexander
 175 J. M. Lacy
 176 J. M. Robinson
 177 J. McCracken
 178 M. Annus, S
 179 Charles Rutherford
 180 P. C. Flerney, S
 181 W. Ashcroft, S
 182 W. G. Noble, S
 183 Wm. Baley
 184 Benj. Yakmon
 185 James Elson
 186 Charles Mensend
 187 John Butledge
 188 W. W. Beckman
 189 C. H. Shotwell
 190 J. S. Besley
 191 T. S. Helm
 192 C. Ray
 193 D. Shanks
 194 James Kane
 195 John Newton
 196 W. J. Wilcox
 197 J. F. Clenox
 198 John Reed
 199 William Turner
 200 J. W. Martin
 201 J. W. Freeland
 202 E. Hattery
 203 S. Waller
 204 J. W. Fisher
 205 R. D. Davis
 206 S. H. Semms
 207 R. S. Merchant
 208 P. Smell
 209 F. B. Mitchell
 210 B. F. Freeland

211 L. Burns	276 J. M. B. Smith
212 R. R. Hall	277 J. L. Page
213 S. T. Ray	278 Calvin Mayers
214 G. Henderson	279 M. M. Blount
215 H. Welch	280 Benj. Bonefont
216 N. W. Hodges	281 J. R. Low
217 N. C. White	282 G. W. Smoot
218 M. Freeland	283 G. W. Kile
219 Joseph Lipscomb	284 W. Browley
220 F. M. Stonaly	285 E. B. Bishop
221 J. L. Datsen	286 W. Dugney
222 G. W. Thompson	287 B. W. Calvert
223 F. P. Penister	288 A. B. Sesson
224 J. L. Cotter	289 T. Gladen
225 R. L. Smith	290 E. S. Dorington
226 A. Steavens	291 Samuel Hodges
227 J. Meteror	292 Thomas Deermin
228 John Freeland	293 J. H. Keninger
229 S. Huntsacker	294 P. McMannanna
230 G. W. Mayers	295 Joseph Smith
231 E. C. Thomas	296 William Calvert
232 L. Elson	297 Jefferson Rows
233 A. Kirkpatrick	298 N. V. Stevens
234 A. Perlín	299 J. Elliot
235 C. H. Mayers	300 George Steavens
236 Jacob Mayers	301 N. J. Alexander
237 Joseph McBride	302 J. Smith
238 A. H. Durlap	303 C. Henson
239 J. P. Erington	304 W. W. Dorherthy
240 James Welch	305 E. J. Johnson
241 Geo. W. Jacobs	306 Daniel Gosser
242 W. Elliot	307 R. B. Mitchel
243 C. Taylor	308 Thomas Donohoo
244 J. T. Brush	309 Geo. W. Gabbord
245 T. H. Mayers	310 James Hunley
246 P. Wornor	311 Lewis Calvert
247 Lewis Scadorel	312 A. Richards
248 P. S. Lunkins	313 B. J. Johnson
249 H. Debord	314 R. B. Toler
250 A. Snider	315 R. S. Graham
251 S. T. Preston	316 E. F. Slaggs
252 L. J. Botes	317 F. Thomas
253 N. Newby	318 A. Bufford
254 W. Thompson	319 B. F. Ross
255 Charles Byington	320 B. Wallace
256 A. M. Price	321 G. W. Sharpe
257 J. C. Cook	322 Johnson Adams
258 Geo. W. Davis	323 E. J. Cotton
259 J. A. Beckner	324 T. W. Dowell
260 J. B. Stokes	325 T. J. Kelly
261 J. M. Steavens	326 S. Willis
262 G. W. Gates	327 D. Haladozer
263 D. L. Steavens	328 B. F. Marron
264 T. L. Fortune	329 Thomas Scott
265 A. G. Whittington	330 S. H. Morsterson
266 W. B. Stonaly	331 J. R. Sheps
267 James Boatman	332 E. Downis
268 William Welch	333 E. M. Brown, S
269 John M. Hays	334 Daniel Kets
270 C. H. Givner	335 H. E. Bishops
271 P. H. Calvert	336 John Graham
272 H. H. Hary	337 J. G. Bolland, S
273 Jefferson Dyer	338 John Collins
274 D. Hamilton	339 John Meyers
275 J. A. Miller	340 W. G. Shorpe

341 Wm. Brown	380 John Thomshuger
342 O. Brown	381 John Wedale
343 R. K. Jacobs, S	382 Samuel Fuller
344 Wm. Moore	383 J. L. Eldridge
345 T. A. Duval, S	384 P. L. Thomshuger
346 A. Groves	385 W. B. Fulton
347 E. J. Honey	386 D. K. Anderson
348 J. R. Beason	387 W. J. Aliphant
349 Wm. Galtory	388 W. J. Bell
350 T. J. Stockwell	389 John Dale
351 J. Wedale	390 John C. Elece
352 W. J. Young	391 Felix Brown
353 W. J. Baley	392 J. H. Wallace
354 W. Martin	393 L. Oldham
355 A. B. Hazard	394 J. L. Carter
356 P. Grimes	395 J. T. Simpson
357 James Morten	396 Thomas Snody
358 J. R. Cassel	397 James Weathers
359 John Turner	398 N. B. Grun
360 A. Warner	399 Jacob Eyler
361 F. L. Duglas	400 John Hart
362 G. F. Shepherd	401 A. W. Hughes
363 Daniel Hicken	402 Washington Hays
364 Thomas Bonas	403 Unson Jones
365 D. Penick	404 W. C. Finley
366 S. Adkins	405 James Sego
367 H. B. C. Harris	406 R. T. Thompson
368 Samuel Wallace	407 T. S. Rodins
369 Jesse Johnson	408 J. S. Thompson
370 Wm. Penick	409 D. G. Short
371 John Davis	410 S. G. Pearson
372 Jefferson Carter	411 C. B. Hodges
373 W. H. Welle, S	412 E. R. Zimmerman
374 M. P. Revel	413 T. J. Thompson
375 J. Maxwell	414 H. B. Hendond
376 B. E. Revely	415 R. W. Thompson
377 H. Glum	416 M. T. Bailey
378 W. M. Hays	417 H. F. Roach.
379 A. J. Dorsen	

We, the undersigned, judges of an election held at the house of Charles Hayes, in the fifteenth election district, Kansas Territory, on the 30th day of March, 1855, for councilmen and representatives, do certify that the above is a true list of the names of voters taken at said house, on this the 30th day of March, 1855.

P. S.—The above is a true copy of the certificate on tally list, but not signed by any of the judges. A. T.

SIXTEENTH DISTRICT—*Leavenworth.*

Matt. France was sworn as judge of the election, according to the printed form, before George Russell, justice of the peace.

Lewis N. Rees and Geo. B. Panton subscribed the following, to wit :
We, Lewis N. Rees and George B. Panton, do solemnly swear that we will support the constitution of the United States, and that we will faithfully demean ourselves in the office of judge of the election for the sixteenth district of Kansas Territory, and faithfully carry

out the provisions of the act of Congress organizing the Territories of Kansas and Nebraska, to the best of our knowledge and ability.

March 30, 1855.

LEWIS N. REES.

G. B. PANTON.

Sworn to and subscribed before me—

GEO. RUSSELL, J. P.

We, the undersigned, judges of an election held on the 30th day of March, A. D. 1855, (called) at the house of Keller and Kyle, and adjourned to the house of B. Wood, in the sixteenth election district for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election :

R. R. Rees, candidate for council, received.....	896 votes.
L. J. Eastin do do.....	893 “
B. H. Twombly do do.....	60 “
A. J. Whitney do do.....	59 “
James Kirkendall do.....	1 “

And of the candidates for representatives—

William G. Matthias received.....	899 votes.
H. D. McMeekin do.....	897 “
A. Payne do.....	895 “
Felix J. Braden do.....	59 “
Samuel France do.....	59 “
Francis Browning do.....	58 “

LEWIS N. REES, }
G. B. PANTON, } Judges.
MATT. FRANCE, }

Poll-books of an election held at the town of Leavenworth, on the 30th day of March, A. D. 1855, for the election of two members of the council from the tenth council district, and three members of the house of representatives from the sixteenth representative district, in the Legislative Assembly of Kansas Territory.

Poll-book of an election at Leavenworth—House of Representatives of the Legislature.

1 Asa Smith	13 Eli More
2 Jeremiah Clark	14 Green D. Todd
3 C. C. Brown	15 Travis Sterner
4 G. B. Reiman	16 Edward N. Drodson
5 William Hodge	17 Samuel Paul
6 Francis Brown	18 Jeremiah Rice
7 Josiah Brown	19 W. L. Blanton
8 F. C. Grinter	20 Thomas Boyle
9 Thomas C. Bishop	21 W. W. Brown
10 William Cummins	22 T. P. L. Taylor
11 Holland Vanderhoor	23 Laschel Brown
12 Floyd Shaanon	24 Hiram Frigate

- 25 John McConn
- 26 Denis O'Kief
- 27 Horris Elliot
- 28 C. M. Burgess
- 29 William Todd
- 30 N. Morrison
- 31 James Hedling
- 32 John Keyes
- 33 Morris Ames
- 34 Thompson Mullins
- 35 Jesse Carter
- 36 Martin Durrell
- 37 Louis Marshall
- 38 Thomas Letchworth
- 39 Alpheus Keyes
- 40 N. A. Kirk
- 41 J. P. Gice
- 42 L. Miles
- 43 A. G. Davis
- 44 Arthur Wythers
- 45 Thomas Baumont
- 46 W. S. West
- 47 Robert Pence
- 48 Thomas Grubs
- 49 Frank Yonem
- 50 J. M. Guthrie
- 51 J. M. Sumners
- 52 E. H. Lee
- 53 Richard Shackelford
- 54 T. T. Jones
- 55 John Bryant
- 56 Matt. R. Walker
- 57 Jeremiah Crabb
- 58 E. G. Winchester
- 59 George Bottom
- 60 William S. Carroll
- 61 James H. Hall
- 62 A. H. Burgess
- 63 Benjamin F. Hickey
- 64 George R. Wood
- 65 W. Thornhill
- 66 G. B. Nunn
- 67 George H. Rose
- 68 J. J. Smith
- 69 A. P. Rooker
- 70 James L. Taylor
- 71 A. T. Guthrie
- 72 George F. Lickenbury
- 73 Houston Long
- 74 James M. Iddings
- 75 D. S. Leech
- 76 W. T. Henderson
- 77 A. T. Pattir
- 78 Thomas Steward
- 79 Samuel Roney
- 80 William Roney
- 81 Jas. W. Littlejohn
- 82 John E. Wells
- 83 William H. Stone
- 84 John C. Carr
- 85 Wm. W. Pullings
- 86 Dudley Thomas
- 87 James Scrimrey
- 88 H. S. Butts
- 89 William R. Evens
- 90 Oscar S. Thomas
- 91 William B. Thomas
- 92 Jacob Snowden
- 93 Wesley S. Davidson
- 94 Simcon Marshall
- 95 John Smith
- 96 F. Arnold
- 97 Benjamin Robue
- 98 Edward Sanderson
- 99 James Fox
- 100 C. L. Roberts
- 101 Lindsey Greening
- 102 Joseph Denigan
- 103 John M. Taylor
- 104 Robert L. McCaskey
- 105 Matthew M. Gun
- 106 William Sanderson
- 107 J. K. France
- 108 A. Russell
- 109 Lelan Phillips
- 110 G. W. Barrus
- 111 Andrew Gusten
- 112 John Talbert
- 113 O. Griffith
- 114 Adam Talbert
- 115 James Sportsman
- 116 James Kincaid
- 117 B. G. Frazer
- 118 William Freeman
- 119 John Freeban
- 120 James Stone
- 121 Louis B. Chinn
- 122 James Sanders
- 123 George Quimby
- 124 Newton Beardon
- 125 Landon T. Carter
- 126 William N. Baldwin
- 127 George W. Baker
- 128 John Gibbs
- 129 E. H. Talbert
- 130 E. T. Pense
- 131 T. R. Buckhart
- 132 H. Garrett
- 133 H. C. Williams
- 134 Levi Brasher
- 135 Ephraim Clark
- 136 J. Zane
- 137 Noah Caton
- 138 James E. Dysart
- 139 William R. Redding
- 140 A. P. Leary
- 141 Alphonso More
- 142 David McCullum
- 143 Daniel Stuart
- 144 G. W. Jones
- 145 Walter Kuncels
- 146 John Anderson
- 147 D. P. Lewis
- 148 D. H. Peterman
- 149 William Spratt
- 150 A. N. Clarkson
- 151 N. R. Perkins
- 152 E. R. Williams
- 153 Thomas E. Waugh
- 154 John D. More
- 155 John W. Williams
- 156 Thomas H. Williams

157 Richard Dicken	223 J. H. Horton
158 Eleazar G. Stephenson	224 Arthur M. Nicholson
159 J. C. Hutchinsonson	225 Samuel H. Burgess
160 John Applegate	226 David W. Reynolds
161 J. Murray	227 S. W. Harper
162 John R. Fridley	228 Benjamin R. Bell
163 Leander Kerr	229 William B. Almond
164 Robert Scarce	230 Francis Carter
165 James Dempsey	231 Warner J. Miller
166 Bob. Wise	232 John W. Redding
167 John T. Burnet	233 M. B. Janes
168 Moses Foss	234 A. Landree
169 Andrew Quince	235 Ellis Brooks
170 William Pickering	236 L. G. Patrick
171 Milton Darnold	237 William H. Arnold
172 John L. Brents	238 H. C. Lodia
173 John J. Grinstead	239 E. McD. Coffee
174 Benjamin E. Horn	240 James M. Long
175 Garnold E. Mappin	241 William D. Long
176 John Viscent	242 J. L. Gullet
177 John Bentz	243 Thomas Shimmis
178 Alpheus Cellars	244 Daniel C. Ames
179 H. S. Havings	245 W. Brockman
180 Louis N. Best	246 William Cox
181 James L. Hickman	247 James Burnett
182 John Venemon	248 Thomas Stone
183 N. J. Rucker	249 John Randall
184 William N. Cannon	250 Charlton Frey
185 Michael McCalif	251 W. C. Applegate
186 James N. Hands	252 Henry Godsey
187 William H. Adams	253 John Stone
188 E. D. Porter	254 J. C. Clark
189 D. S. Collier	255 John C. Berry
190 John D. Chapman	256 William Bussey
191 William Dickey	257 J. W. Morland
192 Benjamin Kinsey	258 Thomas N. Smith
193 Robert Harris	259 Thomas Smith
194 John Drew	260 James M. Scott
195 John Thomas	261 William Beal
196 James M. Smith	262 John P. Williams
197 Mace Rust	263 George W. Graham
198 Jackson Summers	264 William M. Edwards
199 J. V. Chance	265 John Nursery
200 H. C. Long	266 L. F. Hollingsworth
201 D. D. Brown	267 Edward M. Wood
202 William J. Norris	268 Reason Wilcoxon
203 R. C. White	269 J. S. Burgess
204 J. F. Lawson	270 William G. Hardin
205 H. F. Rogers	271 John B. Camp
206 Charles Shannon	272 Joseph Grinnard
207 John J. Ewing	273 N. B. Hedges
208 David Tounis	274 F. Marshall
209 William H. Letcher	275 Rub. Sutton
210 R. W. Chinn	276 John Kincaid
211 William L. Large	277 John Barnett
212 Silas Armstrong	278 John T. Hardy
213 John McNevin	279 William R. Franklin
214 Francis Vanderpool	280 Louis Pippin
215 William Webster	281 Michael Russell
216 Isaac Long	282 J. I. Clark
217 R. P. Smith	283 James K. Vanderpool
218 W. A. Wilson	284 A. J. Norwood
219 William Hanley	285 W. Christerson
220 B. F. Woods	286 William C. Davis
221 Francis P. Garret	287 James Swan, (Wyt.)
222 Jesse W. Clark	288 John R. Courtney

- 289 B. W. Magee
- 290 L. B. Carter
- 291 John Merchant
- 292 Lance Woodward
- 293 William H. Marion
- 294 Samuel R. Offend
- 295 W. P. Gibson
- 296 C. H. Kelsey
- 297 W. N. Thompson
- 298 Andrew Craig
- 299 R. H. Hyde
- 300 William Guces
- 301 Willis J. Kaimes
- 302 G. M. Pryor
- 303 Burrell Lee
- 304 Josh Lann
- 305 George Callihan
- 306 Smith Calvert
- 307 Jackson Hanley
- 308 James T. Bohanon
- 309 N. A. Wilkenson
- 310 H. C. Dunn
- 311 Joseph Courtney
- 312 Luke Jefferson
- 313 Thomas Kinsley
- 314 Allen Crowder
- 315 J. F. Minter
- 316 I. C. Nicholson
- 317 F. G. Montgomery
- 318 William H. Good
- 319 F. Brown, jun.
- 320 B. Lampton
- 321 M. K. Granton
- 322 Ransom Henry
- 323 John G. Miller
- 324 T. C. Berryman
- 325 A. H. Conley
- 326 C. F. Bredan
- 327 John H. Berryman
- 328 Nathan Ames
- 329 Sam'l T. Brookin
- 330 Jno. W. Greason
- 331 John J. Arnold
- 332 John Kinnon
- 333 Hugh More
- 334 Payton T. Smith
- 335 B. W. Mitchell
- 336 H. B. Pollard
- 337 Matthew Splitlog
- 338 Joel Hopkins
- 339 Kaleb W. Right
- 340 Ellen Williams
- 341 John Adkin
- 342 Newton Head
- 343 R. G. Bever
- 344 R. A. Owens
- 345 John Cokely
- 346 R. F. Dunkin
- 347 Milton Adkinson
- 348 John G. Pratt
- 349 N. N. Neagles
- 350 John T. Plummer
- 351 A. E. Chatham
- 352 H. Carpenter
- 353 Joseph Norvens
- 354 Thomas Dorris
- 355 Jefferson Park
- 356 William Hammack
- 357 R. M. Gordon
- 358 Amos Lewis
- 359 Chisley Bradfield
- 360 James S. Cushinberry
- 361 Washington Bennett
- 362 Thos. Scott
- 363 W. L. Wolford
- 364 Jas. H. Melopin
- 365 John L. Bagley
- 366 A. McClure
- 367 Wm. Smith
- 368 Jephtha Woodward
- 369 D. C. Hollingsworth
- 370 Wm. M. Douglass
- 371 David C. Bogy
- 372 Z. M. Axford
- 373 John J. Winn
- 374 John E. Stone
- 375 Andrew J. Scott
- 376 Ambrose Murray
- 377 John H. Dennis
- 378 B. S. Powali
- 379 J. H. Hollingsworth
- 380 A. P. Walling
- 381 Joseph Simpson
- 382 J. H. Stephenson
- 383 C. E. Wallfork
- 384 J. M. Hawkins
- 385 Howard Conlay
- 386 H. Downing
- 387 John S. Swinegino
- 388 C. H. Pinock
- 389 W. M. Samuel
- 390 J. B. Dunkin
- 391 M. L. Walton
- 392 M. S. Twoman
- 393 T. J. Carson
- 394 C. B. White
- 395 C. D. Chance
- 396 William Williams
- 397 I. S. Townsend
- 398 Wm. Peters
- 399 Sam'l F. Few
- 400 Wm. N. Davis
- 401 A. Wilson
- 402 David Willis
- 403 Thomas Cuming
- 404 Thomas Warren
- 405 Robert Young
- 406 Eze Downing
- 407 Mortimer C. Park
- 408 Lemuel H. Evans
- 409 Jeremiah Johnson
- 410 Vance Woodward
- 411 John Ramsay
- 412 J. C. Richardson
- 413 I. Welch
- 414 Milton Dale
- 415 Newton Denny
- 416 T. J. McClelland
- 417 Sam'l Duncan
- 418 Thomas B. Moppins
- 419 Sydney Willey
- 420 John C. Cavanaugh

- 421 Wm. Wallace
- 422 Wm. N. Phillips
- 423 Marion Todd
- 424 Henry Varner
- 425 Jos. Hicks
- 426 Sterling Swinegin
- 427 Joseph Stygers
- 428 Dan I. Allen
- 429 Wm. Sanders
- 430 I. Albright
- 431 Geo. Brown
- 432 N. C. Norton
- 433 S. Lanning
- 434 Jos. M. Long
- 435 R. H. Stewart
- 436 C. C. McKinney
- 437 A. T. Harper
- 438 Lewis Jones
- 439 J. R. Tanner
- 440 E. Tancy
- 441 Louis Clark, (Wyt.)
- 442 J. G. More
- 443 Absolem Wallon
- 444 C. Starnes
- 445 I. T. Roberts
- 446 Dan'l M. Francis
- 447 Wm. J. McLoney
- 448 John W. Davidson
- 449 H. S. Parton
- 450 A. C. Powell
- 451 E. F. Hix
- 452 J. C. Griffith
- 453 E. B. Jacks
- 454 W. W. Vincent
- 455 James G. Hack
- 456 John Flint
- 457 Louis Minch
- 458 Eph Bailey
- 459 David Nichol
- 460 J. E. Davidson
- 461 Nicholas Hedrick
- 462 Wm. Kince
- 463 Geo. W. Anderson
- 464 H. T. Dagley
- 465 Anson Dulen
- 466 David Churchill
- 467 D. J. Morgan
- 468 And. J. McClure
- 469 G. W. McClure
- 470 J. E. Thompson
- 471 Henry Buscy
- 472 W. Myers
- 473 Thos. Starnes
- 474 D. Gellespie
- 475 Wm. Johnson, (Wyt.)
- 476 Jason Cyane, (Wyt.)
- 477 Mason Hall
- 478 Chas. Hunt
- 479 Wm. G. Rancy
- 480 Wm. E. Oliver
- 481 A. G. Williams
- 482 Matthew Morditor, (Wyt.)
- 483 Eli Sweet
- 484 James McKinster
- 485 Geo. B. Dunklin
- 486 Henry Miller
- 487 G. R. Conhan
- 488 R. H. Stephenson
- 489 J. R. Congers
- 490 Nathan Crawford
- 491 R. E. Sanders
- 492 Traverse Brown
- 493 Isaac Simpson
- 494 John Y. Owens
- 495 Wm. Vineyard
- 496 Jesse Vineyard
- 497 Graham Turner
- 498 James Bruce
- 499 Thos. H. Turner
- 500 C. A. Perrin
- 501 C. M. Hooker
- 502 Alex. Baker
- 503 John Buckham
- 504 Elias Jacks
- 505 Joseph H. Thompson
- 506 Evin Timberlick
- 507 James Tate
- 508 James C. Turner
- 509 George W. Dye
- 510 Geo. I. Clark
- 511 Calvin Norville
- 512 John C. Posey
- 513 Thomas Concyhack, (Wyt.)
- 514 Noel McGuire
- 515 A. J. Ouden
- 516 Dan'l Baker
- 517 Bolln Baker
- 518 Thos. Baker
- 519 J. S. Gates
- 520 James Coy
- 521 Thos. Herndon
- 522 Hugh Archy
- 523 Nat Hays
- 524 Jas. Foster
- 525 Barnabus Gubille
- 526 W. S. Offutt
- 527 J. R. Faulkner
- 528 Amos Rees
- 529 John Timberlick
- 530 John Herndon
- 531 Jacob Heck
- 532 L. D. Long
- 533 John Allen
- 534 John Lewis, (Wyt.)
- 535 R. M. Maggot
- 536 J. Harper
- 537 A. J. Lency
- 538 Geo. W. Conley
- 539 Geo. E. Craft
- 540 James Pearce
- 541 A. Boon
- 542 John Comstock, (Wyt.)
- 543 John Creamer
- 544 M. D. Gough
- 545 A. T. Force
- 546 George Rathburn
- 547 Wm. Birch
- 548 J. W. Simmons
- 549 And. A. Downing
- 550 C. H. Jones
- 551 E. W. Brown
- 552 W. Brown

553 John K. Frey	619 S. A. McCreary
554 John C. Gist	620 D. S. Gordon
555 David Brunsfield	621 Jos. Hulin
556 Saml. H. Ferguson	622 T. L. Johnson
557 Sol. Buxton	623 B. F. Young
558 G. N. Bonmont	624 W. Hyde
559 Jas. Maine	625 A. McAnley
560 John W. Williams	626 A. R. Lasley
561 H. W. Frey	627 W. E. Cunningham
562 Saml. E. Jacobs	628 Wm. C. Briskey
563 S. R. Phar	629 John More
564 William Yates	630 F. W. Johnson
565 G. W. Craven	631 Joseph Todd
566 John Maggett	632 Bristin Pierce
567 Jos. H. Conley	633 G. W. Ray
568 Geo. Braustickl	634 W. H. Long
569 Wm. Jacks	635 Clinton C. Morgan
570 A.bury Wilson	636 Squire Grier (Wyt.)
571 Amos D. Martus	637 Nelson Hanley
572 John J. Throgmorton	638 J. C. Thompson
573 H. M. Hook	639 Geo. Stangers
574 N. Timberly	640 E. H. Pence
575 J. W. Carter	641 E. E. M. Rankin
576 J. L. Condrell	642 A. J. Dumasacus
577 Isaac N. Brockman	643 John Elliott
578 Nat. Shrewsbury	644 Wm. Thompson
579 Willis Cartwright	645 James McDonald
580 Chesley Foot	646 Morgan Kay
581 L. J. Eastin	647 Wiley M. English
582 Ambrose B. Jones	648 Allen Sloan
583 Wm. A. Gabbiot	649 H. B. Kelley
584 G. Sprague	650 A. W. Mason
585 Jacob Pitts	651 E. T. Johnson
586 Benj. W. Marsh	652 James Drais
587 F. S. Anterberry	653 Wm. T. Scott
588 Wm. K. Fisher	654 Marion Burkett
589 Jesse C. Stovold	655 J. H. Withers
590 John C. Scott	656 M. Darling
591 W. W. Woods	657 John Doss
592 G. W. Allwright	658 James Larrett
593 Nat. J. Canley	659 Hugh McGowan
594 Geo. W. Taylor	660 Geo. Spybuck (Wyt.)
595 Wm. Thomas	661 Chopclark
596 Fontin P. Bradley	662 J. P. Dunham
597 Jas. Barber	663 J. I. Long
598 Wm. Black	664 Jim White
599 J. H. Boyd	665 Wm. Boyd
600 Wm. Wings	666 F. E. Hulen
601 Jas. A. Harrison	667 Wm. Phillips
602 Thos. S. Owens	668 Richard H. Lawson
603 T. R. Manson	669 Wm. M. Common
604 James Ringold	670 C. B. Garrett
605 R. C. Thompson	671 I. Munday
606 Thos. H. Porter	672 Wm. Yokum
607 W. M. Scott	673 C. H. Allen
608 P. H. Wagner	674 H. C. Hollaway
609 D. S. Boyle	675 Israel Dorrity
610 C. F. Robinson	676 J. Rogers
611 Geo. Woodhouse	677 W. T. Barbee
612 W. D. Short	678 T. B. Wright
613 E. K. Goviet	679 D. Large
614 W. S. Cluk	680 J. L. Lammell
615 G. W. Frederick	681 H. F. Powers
616 J. M. Love	682 S. Cates
617 W. H. Wite	683 Jer. Short
618 Wm. A. Clapp	684 B. Bedding

685 D. B. Kellog	751 A. N. Chi
686 P. M. Crust	752 Jo. Sanders
687 M. Smith	753 Edwin Rawson
688 A. Wilson	754 Joel Basham
689 J. P. Russel	755 W. A. Guthrie
690 J. Hoyt	756 Patrick Hall
691 J. Spratt	757 John Roe
692 Wm. L. Stephens	758 Ed. Garrett
693 W. Moley	759 Amt. Owens
694 James O'Toole	760 E. D. Cord
695 A. W. Harvey	761 R. F. Lisk
696 A. S. Parker	762 G. L. Brown
697 F. A. Robertts	763 J. C. Gentry
698 A. J. Porter	764 Lucius Chafers
699 Nat. Campbell	765 J. H. Brown
700 C. McCrey	766 Myron Phillips
701 L. T. Oliver	767 J. W. Todd
702 Wm. Hedrick	768 J. P. Crosswhite
703 Sam E. Frazer	769 Moses Whitson
704 James L. Thompson	770 J. W. Brown
705 John R. Miller	771 L. P. Stiles
706 Isaac Anher	772 Edward Duncan
707 H. H. Harrison	773 J. McGuire
708 I. N. Henderson	774 Q. C. Tritt
709 W. H. Piero	775 G. W. Goble
710 John S. Pratt	776 G. Wood
711 R. M. Johnson	777 Jno. Watson
712 Wm. G. Matthias	778 W. F. Dodge
713 Jos. Booles	779 J. Flemmings
714 Steph. Hedrick	780 David Bevens
715 J. R. Coffman	781 Alfred Stoker
716 M. L. McDonald	782 Jas. S. Gillin
717 W. T. Woods	783 George Smith
718 Henry Herndon	784 R. C. Miller
719 John C. Stephenson	785 David Spratt
720 Wm. Holt	786 D. B. Craddock
721 David McCollum	787 N. M. Miller
722 A. Gilbert	788 Alex. Kelley
723 B. D. Spenser	789 Sam'l Fernandes
724 Abel Henderson	790 Bub. Snellgrove
725 W. P. Loan	791 James Finley
726 W. L. Blair	792 J. W. Conser
727 B. S. Richards	793 A. H. Scott
728 Ed. O'Riley	794 G. W. Ring
729 P. Frederick	795 James M. Rothwell
730 Lewis Wilkos	796 W. D. Hickson
731 J. F. Pitts	797 Wm. Cornelius
732 W. H. Golden	798 L. D. Pitcher
733 J. B. Eldred	799 A. Dawson
734 J. Chana	800 R. R. Rees
735 J. F. Clarkson	801 G. W. Roberts
736 J. M. Alexander	802 Jacob Whitecron
737 James B. Craig	803 ——— Battiste
738 J. C. Cockerell	804 John Lorrimest
739 A. Brady	805 F. Gilbert
740 Martin Hefferlin	806 James McGintee
741 C. C. Coon	807 John L. True
742 J. C. Clarkson	808 George Evans
743 E. Forsythe	809 John Arms
744 Sam Stahle	810 Jacob Colman
745 John Stanton	811 Aug. Smlth
746 R. M. Prather	812 John S. Wilkinson
747 James Hall	813 William Callahan
748 Jas. M. Davis	814 Joseph Halliday
749 W. Redding	815 Charles Hanley
750 Ethel A. Long	816 J. H. McBride

- 817 L. W. Holland
 818 Sam'l Phillips
 819 C. C. Harrison
 820 A. F. McAfee
 821 S. Leach
 822 A. Lanter
 823 W. S. Burneal
 824 John S. Slaughter
 825 Joel Hlat
 826 Isaac Carver
 827 Harry Burnett
 828 William S. Yoke
 829 William Little
 830 G. F. Warren
 831 William McLean
 832 Samuel Finley
 833 Michael Kelley
 834 Simon Petrogas
 835 A. J. Bowers
 836 Thomas McLane
 837 Ed. McLane
 838 J. H. Day
 839 Aug. White
 840 W. S. Boone
 841 H. C. Pence
 842 G. W. Cupely
 843 Malcom Clark
 844 Greenberry White
 845 William Giffins
 846 William F. Murphy
 847 Lawrence Kennedy
 848 George H. Keller
 849 R. B. Roberts
 850 William Pente
 851 Geo. W. Robbins
 852 John Bailey
 853 B. McCrory
 854 Samuel Polk
 855 Eneas Cummings
 856 L. T. Doolittle
 857 Jos. Murphy
 858 James K. Edsel
 859 John Pettit
 860 John M. White
 861 F. E. Blud
 862 James McGowen
 863 D. J. Pence
 864 Edward Dunn
 865 G. S. W. Jessie
 866 G. J. Pence
 867 L. D. McLean
 868 G. B. Panton
 869 L. A. Bees
 870 Joseph R. McAleers
 871 James M. Lyle
 872 Randolph Moxley
 873 Michael Birch
 874 Matthew Doyle
 875 Henry J. Williams
 876 James Bewick
 877 J. A. Hewitt
 878 John Foster
 879 John Dunn
 880 James Foster
 881 Perry Yocum
 882 George Frazer
 883 Thomas Brown
 884 Willey Williams
 885 E. W. Hathaway
 886 R. M. Davenport
 887 W. A. Newman
 888 William Conley
 889 John Gumsollis
 890 Smith Turner
 891 Robert Grant
 892 George Kimpfer
 893 Alexander Hamilton
 894 John M. Feckler
 895 Clisby Cox
 896 Isaac Williams
 897 H. I. Wolf
 898 Gilbert Scott
 899 Malbone Bullock
 900 B. H. Foster
 901 Duren Anderson
 902 William McKenney
 903 William C. Kimber
 904 H. M. More
 905 Jacob Sears
 906 Benjamin Hugin
 907 Samuel Brown
 908 John W. Wallace
 909 J. E. Glines
 910 James Eiche
 911 George McCalligher
 912 Lewis Webber
 913 Caleb Dunham
 914 Joseph Kelley
 915 H. L. Lee
 916 W. F. Boyd
 917 John B. Wells
 918 Clark Tritt
 919 Levi Furguson
 920 Nat. Henderson
 921 R. W. Rudd
 922 P. R. Orr
 923 Abraham Hellem
 924 Samuel Campbell
 925 James W. Baker
 926 Aaron Groover
 927 A. Payne
 928 D. A. Johnston
 929 John W. Hendley
 930 G. W. Walker
 931 W. W. Connn
 932 L. F. Mills
 933 P. G. Low
 934 Jonathan Hall
 935 Noel B. Brooks
 936 H. D. McNeekin
 937 George Carson
 938 Willis Hughes
 939 John Boles
 940 R. F. Smith
 941 W. R. Holdman
 942 Charles Levero
 943 John Frazer
 944 John Keeffer
 945 Lester Tennal
 946 Benjamin T. Luce
 947 John J. Luce
 948 Benjamin Wycoff

949 W. Saunders
 950 Sam'l Fryar
 951 Robt. N. Rogers
 952 E. Oldhauser
 953 Israel Gibson
 954 B. Beck
 955 Jefferson Copeland
 956 Joshua Copeland

957 Jonas Sreench
 958 William R. Hall
 959 Rob. Ranson
 960 Wm. A. McDowell
 961 Rob. D. Maham
 962 James Glenning
 963 W. F. Wyant
 964 J. E. Grant

PROTEST.

We, the undersigned, citizens of the sixteenth election district of Kansas Territory, hereby protest against certificates of election being given to the following named persons to the legislature of Kansas Territory: For council, R. R. Rees and L. J. Eastin; for representative, Wm. G. Mathias, H. D. McMeekin, and A. Payne; and for the following reasons: That two of the judges of the election did not take the oath of office required by your excellency. That residents of Missouri came here on the 29th and 30th of March; that they voted for the above named individuals, and then immediately returned. That the New Lucy, a boat, on the morning of the day of election, started for Leavenworth from Weston, with citizens of Missouri; that the citizens of Missouri on said boat did vote at the polls of the sixteenth district, and then immediately returned on said boat to Missouri; that many citizens of said district were deterred from voting by the conduct of citizens of Missouri.

We therefore pray that your excellency will appoint a day on which a hearing can be had.

Wm. Phillips	T. A. Hart
Jas. K. Edsale	N. Fays
R. B. Roberts	Aaron Foster
Cyrus Austin	Geo. Brubaker
Jonathan Kelly	G. B. White
Geo. Woodhouse	N. Adams
J. E. R. Howald	H. D. Streeter.

To His Excellency A. H. REEDER, Governor of Kansas Territory.

William Phillips being duly sworn, makes affidavit that the above statement is true, to the best of his knowledge and belief.

WM. PHILLIPS.

GEO. RUSSELL, J. P.,
Sixteenth District, Kansas Territory.

SEVENTEENTH DISTRICT.

We, the undersigned, judges of an election held on the 30th day of March, A. D. 1855, at Shawnee Methodist church, in the seventeenth election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify upon our oaths, as judges of said election, that the following is a true and correct return of the votes polled at such election, by lawful resident voters, viz:

For the council: Thomas Johnson received forty-two (42) votes; E. Chapman received forty-three (43) votes; Samuel N. Wood received sixteen (16) votes; Joel A. Gooden received sixteen (16) votes.

For representatives: Alexander S. Johnson received forty-three (43) votes; V. F. Powel received sixteen (16) votes.

CYPRIAN CHOUTEAU.

C. B. DONALDSON.

CHARLES BOLES.

Poll book of an election held on the 30th day of March, 1855, at the Shawnee Methodist church, in the Territory of Kansas, for the purpose of electing two councilmen and one representative to the legislature of said Territory.

1 Stephen F. Payne	31 Henry Coffman
2 Samuel Garrett	32 Joseph Frazer
3 Hopson Perry	33 L. C. Mathews
4 Samuel D. Lecompte	34 Charles Cradler
5 Andrew Monroe	35 B. F. Johnson
6 Daniel Doffinmne	36 Coyeremar Chouteau
7 John Tule	37 Samuel Paul
8 Wm. Donaldson	38 Richard Mendenhall
9 Samuel F. Hoffaker	39 Samuel M. Cornatzer
10 John A. Hildermer	40 Thomas Johnson
11 William Arnold	41 C. B. Donaldson
12 Joseph Parks	42 C. Bowls
13 Christopher Deskins	43 J. R. Johnson
14 H. A. Davis	44 Felix L. Ferrell
15 Isaac Parish	45 Phillip Cook
16 Joseph McDowell	46 W. Shinburg
17 Robert Brown	47 A. Gueone
18 Isaiah Hadley	48 M. P. Randall
19 Peter Shumberry	49 J. C. Pollard
20 B. T. Robinson	50 Joseph West
21 Augustus Charles	51 Daniel Wodson
22 William F. Johnson	52 Eli Wilson
23 George Buchhoman	53 James Bowles
24 T. P. Bailey	54 Milton Wooley
25 F. B. Dreper	55 Isaac Heucha
26 Frederick Chatian	56 Siras Rogers
27 John Dunoth	57 W. H. Byrnes
28 John Owens	58 John Loman
29 Frederick Booker	59 John Montgomery.
30 Elihu Owens	

Tally papers of an election held on the 30th day of March, A. D. 1855, at the Shawnee Methodist church, in the Territory of Kansas, for the purpose of electing two councilmen and one representative to the legislature of said Territory.

For Councilmen.		For Representative.	
Thomas Johnson.....	42	A. S. Johnson.....	43
E. Chapman.....	43	A. T. Powell.....	16
Samuel N. Wood.....	16		
Joel H. Goodlin.....	16		

I, John Montgomery, do solemnly swear that I will perform the duties of clerk of the election of the 17th district of the Territory of

Kansas according to the best of my ability, and according to the law; and that I will strictly endeavor to prevent fraud, deceit, and abuse in conducting the same.

JOHN MONTGOMERY.

I, Richard Mendenhall, do solemnly, sincerely, and truly declare and affirm that I will perform the duties of clerk of the election in the 17th election district of the Territory of Kansas according to law, and to the best of my ability; and that I will studiously endeavor to prevent fraud, deceit, and abuse in conducting the same.

RICHARD MENDENHALL.

UNITED STATES OF AMERICA, }
Territory of Kansas. } *sc:*

I hereby certify that John Montgomery and Richard Mendenhall, clerks of the election held in the 17th election district of the Territory of Kansas, on the thirtieth (30th) day of March, A. D. 1855, (eighteen hundred and fifty-five,) were severally, the first named sworn, and the last named affirmed, as the law directs, previously to entering upon the duties of their office.

SAMUEL D. LECOMPTE,

Chief Justice, Territory of Kansas.

We, Cyprian Chouteau, C. B. Donaldson, and Charles Boles, do solemnly swear that we will severally perform the duties of a judge of an election, in and for the 17th district of the Territory of Kansas, according to law, and to the best of our abilities; and that we will studiously endeavor to prevent fraud, deceit, and abuse in conducting the same.

CYPRIAN CHOUTEAU.

C. B. DONALDSON.

CHARLES BOLES. •

UNITED STATES OF AMERICA, }
Territory of Kansas. } *sc:*

I do hereby certify that Cyprian Chouteau, C. B. Donaldson, and Charles Boles, judges of the election held in and for the 17th district of the Territory of Kansas, on the 30th day of March, A. D. 1855, were severally sworn, as the law directs, previously to entering on the duties of their office.

SAMUEL D. LECOMPTE,

Chief Justice, Territory of Kansas.

EIGHTEENTH DISTRICT.

Jesse Adamson, Thomas J. B. Cramer, and John Bellew were sworn as judges—printed form of oath.

Adamson administered oath to Cramer, and he to other two judges.

Poll books of election at the house of Wm. W. Moore, on the Nemaha.

1 S. J. Cramer	32 Edward Horner
2 Geo. H. Baker	33 Samuel Crozier
3 Joseph H. Walker	34 Greenberry Key
4 Robert Sate	35 Benjamin Winkles
5 Wm. Cain	36 Hiram H. Lanham
6 G. Dorris	37 H. M. Newton
7 Jeremiah Vardeinan	38 Thomas Newton
8 William Hayter	39 John W. Brown
9 Benjamin Batton	40 Jesse Miller
10 Bluford Adkins	41 Daniel Yolt
11 Jesse Hodges	42 Jonathan Berry
12 Wm. Baldwin	43 Sampson Park
13 James C. Gwynn	44 Thomas Edwards
14 Wm. Sandy	45 R. C. Cain
15 Joseph Stone	46 Thomas Lincoln
16 A. K. Head	47 John Cain
17 P. Cooper	48 John Fry
18 James Simpson	49 Richard Gartha
19 W. Owen	50 Edward Layton
20 R. L. Kirk	51 Jesse Adamson
21 John Johnson	52 Melchior Brown
22 John Hayden	53 Henry Coons
23 James S. Durnall	54 Walter D. Beales
24 Clay Cook	55 Isaac B. Miller
25 James Clancy	56 Richard Clancy
26 Joel W. Moore	57 George W. Wait
27 John Wilson	58 James Dryden
28 John Bellew	59 Amos Porter
29 S. J. B. Cramer	60 W. W. Moore
30 Elbert O. Walker	61 James O'Laughlin
31 John Jott	62 John O'Laughlin.

JUDGES' RETURNS.

We, the undersigned, judges of an election held on the 30th day of March, A. D. 1855, at the house of W. W. Moore, in the eighteenth election district, for the election of members of council and the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz:

For Council.		For Representative.	
John W. Forman.....	61	J. H. Stringfellow.....	48
		R. L. Kirk.....	50
		Joel Ryan.....	1
		G. A. Cutter.....	14
		John Landis.....	13

Witness our hands this 30th day of March, 1855.

JESSE ADAMSON.
THOMAS J. B. CRAMER.
JOHN BELLEW.

EXTRACT FROM THE EXECUTIVE MINUTES OF THE TERRITORY OF KANSAS.

April 5, 1855.—The governor, with D. Woodson, secretary of the Territory, and J. A. Halderman, executive clerk, proceeded to open and examine the returns of election for members of council and house of representatives in the several districts of the Territory, held on the 30th day of March last, when it appeared that the following returns and other papers had been received:

First Council District.—Second Representative District.

List of voters.....1,044

Oaths of J. B. Abbott, Hugh Cameron, Theodore E. Benjamin, and Robert A. Cummins, in form prescribed.

Tally list.

For Council.

Thomas Johnson.....780
E. Chapman.....783
J. K. Goodin.....254
S. N. Wood.....255

For Representative.

James Whitlock.....780
A. B. Wade.....781
J. M. Banks.....781
John Hutchinson.....252
E. D. Ladd.....253
P. P. Fowler.....254
S. C. Pomeroy.....1
D. L. Croysdale.....1
A. F. Powell.....1
W. P. Atwood.....1
R. G. Elliot.....1

Return of Hugh Cameron, Robert A. Cummins, and Theodore E. Benjamin, in form prescribed, with an erasure of the words "*by lawful resident voters*," showing—

For Council.

Thomas Johnson.....780
Edward Chapman.....783
Joel K. Goodin.....254
Samuel N. Wood.....255
Charles Garrett.....1
Noah Cameron.....1

For Assembly.

James Whitlock.....780
A. B. Wade.....781
John M. Banks.....781
John Hutchinson.....252
E. D. Ladd.....253
P. P. Fowler.....254
Samuel C. Pomeroy.....1
D. L. Croysdale.....1
A. F. Powell.....1
P. Atwood.....1
R. G. Elliott.....1

Second Representative District.—Fourth Election District.

List of voters80

Oaths of David Pultz, Thomas Mockabee, and J. B. ting as follows: "That I will reject the votes of all who I shall believe have come into the Territory for the purpose of voting; that in all cases where I am ignorant of the validity of the vote I will require legal evidence thereof by his own oath or by the oath of two others; and that I will truly count and record the votes received by the electors, and that I will truly and faithfully return thereof to the governor of said Territory."

And adding in lieu thereof the words: "That we will do so as possible, the paper to the governor of the said Territory."

Tally list.

For Council.		For Representative.	
Thomas Johnson	78	A. S. Johnson	
E. Chapman ..	78	A. F. Powell	
S. N. Wood.....	2		
J. K. Goodin	2		

Return of same judges in form prescribed, omitting the names of unlawful resident voters," showing—

For Council.		For Representative.	
Thomas Johnson	78	A. S. Johnson	
E. Chapman	78	A. F. Powell	
S. N. Wood.....	2		
J. K. Goodin	2		

Seventeenth Election District.

List of voters

Oaths of judges C. B. Donaldson, Charles Boles, and C. B. Teau, that they "will perform the duties of judges of the court for the seventeenth district of the Territory of Kansas, and will do so to the best of our abilities, and will studiously endeavor to prevent fraud, deceit, and abuse, in conducting the same."

Tally list.

For Council.		For Representative.	
Thomas Johnson.....	42	A. S. Johnson	
E. Chapman.....	43	A. F. Powell	
S. N. Wood.....	16		
Joel K. Goodin	16		

Return of said judges in form prescribed by proclamation—

For Council.		For Representative.	
Thomas Johnson	42	A. S. Johnson	
E. Chapman	43	A. F. Powell	
S. N. Wood.....	16		
Joel K. Goodin	16		

Protest of Samuel F. Tappan and twenty others, claiming to be residents of the first election district, to declare void, to set aside the returns and election in said district, or that certificates be given to Joel K. Goodin and S. N. Wood for council, and to John Hutchinson, E. D. Ladd, and P. P. Fowler; for the reason that six or seven hundred armed men encamped in the vicinity of the polls on the 29th and 30th of March, collected around said polls and kept them in their possession, on the day of the election, till late in the afternoon, and who left the district during the afternoon and the ensuing day. Said persons were strangers, believed to come from the State of Missouri. Citizens of the district were threatened with violence and prevented from voting. Affidavit by all the signers, together with affidavits of Harrison Nichols, Edwin Bond, David Conger, N. B. Blanton and Samuel Jones tending to prove threats, violence, and non-resident voting.

Protest of Perry Fuller, E. W. Moore, judges appointed to hold the election, and twenty-nine other persons, claiming to be residents, complaining that the said election was opened by unauthorized judges at eight o'clock a. m., and at a place different from that prescribed in the proclamation, and that non-residents surrounded the polls with fire-arms and voted indiscriminately.—*Affidavit of Benjamin Fuller and E. W. Moore.*

Second Council District.—Third Representative District.

List of voters.....341

Oaths of F. E. Lehay, Paris Ellison, and Sherman J. Waful, in form prescribed. Affidavit before G. W. Taylor.

Return of same judges, shewing the following result:

For Council.		For Representative.	
A. McDonald.....	318	G. W. Ward.....	318
J. A. Wakefield.....	12	O. H. Brown.....	318
		Isaac Davis.....	12
		E. G. Macy.....	12

Report of Harrison Burson and Nathaniel Ramsey, under oath, stated that they entered upon their duties as judges of election and polled some few votes, when they were driven from the room by a company of armed men from the State of Missouri, who threatened their lives and commenced to destroy the house and beat in the door, demanding the right to vote without swearing to their place of residence; that having made their escape with the poll books and certificates they were followed by said persons and the said papers taken by force.

Protest by A. B. Woodward and nineteen other persons, claiming to be citizens of said district, against the election in said district of A. McDonald, O. H. Brown and G. W. Ward, for the reason that several hundred men from the State of Missouri presented themselves to vote at said election, and upon being required by the judges to

swear to their place of residence, they threatened to take the lives of the judges and tear down the house, and prepared to demolish the house. One of said judges ran out of the house with the ballot box, and the other two were driven from the ground; that the citizens of the district then left, and the persons from Missouri proceeded to elect other judges and hold an election; with affidavit of J. C. Archbole and G. W. Umburger, with an additional affidavit of Jos. N. Mace, tending to prove violence and threats of the death to (of?) any voter swearing to his residence, and that he was dragged by force from the window and prevented from voting.

Third Council District.—Fourth Representative District.

List of voters..... 376

Tally list.

For Council.		For Representative.	
H. J. Stiekler.....	370	D. L. Croysdale.....	366
A. McDonald	1	C. K. Holliday.....	4
		G. W. Ward.....	4

With certificate annexed that the judges appointed by the proclamation did, after the hour of 9 a. m., severally refuse to join in holding said election; and the subscribers, James M. Small, Horatio Cox and John Horner, were selected through tellers, by voters on the ground, to act as judges of said election, and that the same is a true and perfect tally list made out according to the instructions of the governor, from a list of votes polled at said election.

Oaths of James M. Small, Horatio Cox, and John Horner, judges, in form prescribed by proclamation, except the following erasure: "And whom I shall not honestly believe to be a qualified voter according to the provisions of the act of Congress organizing said Territory; that I will reject the votes of all non-residents who I shall believe have come into the Territory for the mere purpose of voting; that in all cases where I am ignorant of the voter's right, I will require legal evidence thereof by his own oath or otherwise."

Fifth Representative District.

List of voters..... 234

Tally list.

For Council.		For Representative.	
H. J. Strickler.....	211	M. W. McGee.....	210
Wm. F. Johnson	23	E. Baker.....	1
		H. Rice.....	23

With certificate of L. H. Whittington, Andrew Johnson, and Eli Snyder, as judges, in form prescribed by proclamation, omitting the word "resident."

Eighth Election District.

List of voters..... 37

Tally list.

For Council.		For Representative.	
Strickler.....	17	Baker.....	25
Rice.....	17	McGee.....	12
F. McGee.....	2		

Oaths of Emanuel Mosier, Thos. S. Huffacker, and Samuel B. Smith, in form prescribed. Return of same judges, in form prescribed, showing—

For Council.		For Representative.	
Rice.....	17	A. J. Baker.....	25
Strickler.....	17	M. McGee.....	12

Protest of T. J. Thornton and fifteen other persons, claiming to be voters of said Territory, and third council district, complaining that judges appointed in said district failed to organize the board in consequence of two of them refusing to take the oath prescribed, and that through fear of personal violence the said judges were compelled to vacate their seats and permit the people assembled on the ground to choose a board of their own number, and that the actual residents were either driven from the polls or intimidated from offering their votes by from three to six hundred persons, actual residents of other States, and that few, if any, of the votes were cast by citizens of the Territory, and praying that the election may be set aside as illegal and void; with affidavit of A. G. Adams, Daniel H. Horne, H. B. Burgess and F. R. Foster.

Protest of Hallam Rice and eleven other persons, claiming to be citizens of the seventh election district, protesting against the election of H. J. Strickler and M. W. McGee, for the reason that they were elected by a number of voters from the State of Missouri, who arrived the day before in about fifty wagons, and on horseback, and returned after voting—they lived in Missouri, and did not intend to live in Kansas, and that one of the judges appointed on the ground was a resident of Missouri, and that the judges were not sworn; that no oath or affirmation was required of any voter; with affidavit of Hallam Rice and J. R. Stewart.

Fourth Council District.—Fifth Representative District.—Bull Creek Precinct.

List of voters.....393

Tally list.

For Council.		For Representative.	
A. M. Coffee.....	379	Wm. A. Heiskell.....	377
D. Lykens.....	376	A. Wilkinson.....	375

M. G. Morriss.....	9	Henry Younger.....	375
Jas. P. Fox.....	9	Samuel Scott.....	377
		John Serpell.....	9
		Adam Poore..	9
		S. H. Houser.....	9
		Wm. Jennings.....	9

Oaths of B. F. Payne, B. C. Westfall, and J. J. Parke, in form prescribed. Certificate of J. J. Parke, judge, that two of the judges appointed by proclamation being absent at 9 o'clock, a. m., he had filled the vacancies by appointing B. F. Payne and B. C. Westfall.

Return of same judges, in form prescribed, showing :

For Council.		For Representative.	
A. M. Coffee.....	377	W. A. Heiskell.....	377
D. Lykens.....	376	A. Wilkinson.....	375
M. T. Morriss.....	9	Henry Younger.....	375
J. P. Fox.....	9	Samuel Scott.....	377
		John Serpell.....	9
		A. Poore.....	9
		S. A. Houser.....	9
		Wm. Jennings.....	9

Pottawatomie Creek Precinct.

List of voters.....266

Oaths of Samuel C. Wear, W. S. Ferguson, and Wm. Chesnut, in form prescribed.

Tally-list, with certificate of return prefixed, showing :

For Council.		For Representative.	
A. M. Coffee.....	199	Wm. A. Heiskell.....	198
D. Lykens.....	199	A. Wilkinson.....	198
M. T. Morriss.....	65	Henry Younger.....	198
Jas. P. Fox.....	63	Samuel Scott.....	198
		John Serpell.....	61
		A. Poore.....	54
		Samuel H. Houser.....	64
		Wm. Jennings.....	62
		J. Huff.....	11
		Cronklitt.....	3
		C. H. Craul.....	2
		Oscar C. Brown.....	1

Big Sugar Creek Precinct.

List of voters..... 91

Oaths of Jas. M. Arthur, A. H. Smith, John E. Brown, and Elihu Tucker, judges, in form prescribed.

Tally-list.

Coffee.....	74	Houser	17
Lykens.....	76	Jennings.....	17
Fox.....	16	Heiskell.....	74
Morriss.....	17	Wilkinson.....	74
Serpell.....	17	Younger.....	74
Pore.....	16	Scott.....	74

Return of John E. Brown, Elisha Tucker, and A. H. Smith,
judges of election, in form prescribed, showing—

For Council.

Jas. J. Fox.....	16
Morriss.....	17
A. M. Coffee.....	74
D. Lykens.....	74

For Representatives.

John Serpell.....	17
A. Pore.....	16
S. H. Houser.....	17
Wm. Jennings.....	17
Wm. A. Heiskell.....	74
Allen Wilkinson.....	74
Henry Younger.....	74
Samuel Scott.....	74

Little Sugar Creek Precinct.

Oaths of Wm. Parks, Isaac D. Stockton, and Hiram Howdeshell,
judges, in form prescribed.

List of voters.....105

Tally-list.

For Council.

A. M. Coffee.....	31
D. Lykens.....	34
M. T. Morriss.....	62
Jas. P. Fox.....	70

For Representatives.

Wm. Heiskell.....	33
Allen Wilkinson.....	32
Henry Younger.....	35
Samuel Scott.....	35
John Serpell.....	62
Adam Pore.....	62
S. H. Houser.....	64
Wm. Jennings.....	66
Wm. Dyer.....	1

Return of same judges, in form prescribed, showing—

For Council.

A. M. Coffee.....	31
D. Lykens.....	34
W. T. Morriss.....	62
Jas. P. Fox.....	70

For Representatives.

W. A. Heiskell.....	33
Allen Wilkinson.....	32
Henry Younger.....	35
Adam Pore.....	62
John Serpell.....	62
S. H. Houser.....	64
Wm Jennings.....	66
Wm. Dyer.....	1
Samuel Scott.....	35

Protest of James B. Abbott and ten others, claiming to be legal voters of Kansas Territory, alleging that the persons who acted as judges at the Bull Creek precinct were not duly sworn, and praying that the election be set aside.

Fifth Council District.—Seventh Representative District.

Oaths of James Ray, Wm. J. Godfrey, and Wm. Painter, judges of election, in form prescribed.

List of voters..... 350

Tally-list.

For Council.		For Representatives.	
Wm. Barbee.....	343	Joseph C. Anderson.....	315
		S. A. Williams.....	313
		John Hamilton.....	38
		Wm. Margrave.....	16

Sixth Council District.—Eighth Representative District.—Ninth Election District.

Oaths of S. B. White, Robert Wilson, and A. D. Gibson, in form prescribed.

List of voters..... 75

Tally-list, with Certificates of judges, showing—

For Council.		For Representatives.	
John Donaldson.....	23	S. D. Houston.....	56
M. F. Conway.....	50	R. Garrett.....	18

Tenth Election District.—Blue River Precinct.

Oaths of Joseph Stewart, Wm. C. Dyer, and M. A. Garrett, in form prescribed.

List of voters..... 69

Tally-list.

For Council.		For Representatives.	
John Donaldson.....	27	Russell Garrett.....	21
M. F. Conway.....	42	S. D. Houston.....	43

Return of above-named judges, according to form prescribed, showing—

For Council.		For Representatives.	
M. F. Conway.....	42	S. D. Houston.....	43
John Donaldson.....	27	Russell Garrett.....	21

Rock Creek Precinct.

Oaths of Henry Rammelt, James Wilson, and Francis Bergerow, according to form prescribed.

List of voters..... 23

Tally-list.

For Council.

M. F. Conway..... 21
John Donaldson..... 2

For Representatives.

S. D. Houston..... 21
Russell Garrett..... 2

Eleventh Election District.—Ninth Representative District.

Oaths of Wm. P. McClure, S. W. Spratt, and George W. Pence,
judges, according to form prescribed.

List of voters..... 331

Tally-list.

For Council.

John Donaldson..... 328
M. F. Conway..... 3

For Representatives.

F. J. Marshall..... 328

Return of same judges, in form prescribed, showing—

For Council.

John Donaldson..... 328
M. F. Conway..... 3

For Representatives.

F. J. Marshall..... 328

St. Mary's Precinct.

Oaths of L. R. Palmer, P. McCartney, and Alva Higbee, judges, in
form prescribed.

List of voters..... 11

Tally-list.

For Council.

M. F. Conway..... 7
John Donaldson..... 4

For Representatives.

F. J. Marshall..... 4
P. McCartney..... 7

Return of same judges, according to form prescribed, showing—

For Council.

John Donaldson..... 4
M. F. Conway..... 7

For Representatives.

Palmer McCartney..... 7
F. J. Marshall..... 4

Silver Lake Precinct.

Oaths of E. R. Kennedy, John H. Wells, and W. K. Windgardner,
judges, according to form prescribed.

List of voters..... 31

Return of same judges, according to form prescribed, showing—

For Council.

M. F. Conway..... 19
John Donaldson..... 12

For Representatives.

Solomon McCartney..... 19
F. J. Marshall..... 12

Tally-list.

For Council.

John Donaldson..... 12
M. F. Conway..... 19

For Representatives.

F. J. Marshall..... 4
S. McCartney..... 19

Protest of M. F. Conway and ten others, claiming to be voters of the Territory, against the election of John Don Thomas J. Marshall, complaining that upwards of 300 given by non-residents of the Territory at the Marysville and that the ballots received at the said precinct were read by the judges before they were deposited in the together with the oath of M. F. Conway in support thereof affidavit of Col. McCrea, that upwards of 200 non-resident Territory passed west on the Leavenworth and Riley road and Thursday next preceding the election, declaring intended to vote at the Marysville precinct, and then return residence in Missouri; and that on the following Sunday as he saw many of the same persons returning towards Miss some of whom stated, in the presence of their associates had voted, and done the thing up right.

*Seventh Council District.—Eleventh Representative District.
River District.*

Oaths of G. R. Wilson, James M. Irvine, and E. V. judges, according to prescribed form.

List of voters

Tally-list.

For Council.	For Representative.
John W. Foreman.....74	J. H. Stringfellow
	R. L. Kirk
	G. A. Cutler
	J. Ryon
	T. J. Vanderslice.
	John Landis

Return of same judges in form prescribed, showing—

For Council.	For Representative.
John W. Foreman.....74	J. H. Stringfellow
	R. L. Kirk
	G. A. Cutler
	J. Ryon
	T. J. Vanderslice.
	John Landis

Doniphan Precinct.

Oaths of A. H. Dunning, N. J. Ireland, and William judges, according to form prescribed.

List of voters.....

Tally-list—none.

Return of same judges, showing—

For Council.	For Representatives.
John W. Foreman.....343	J. H. Stringfellow .....313
	R. L. Kirk.....292
	G. A. Cutler..... 30
	T. Vanderslice..... 4
	John Landis..... 25
	J. Ryon..... 18
	S. K. Miller 2

Eighteenth Election District.

Oaths of Jesse Anderson, Thomas J. B. Cramer, and John Belew, judges, according to form prescribed.

List of voters62

Tally-list.

For Council.	For Representatives.
John W. Foreman.....61	J. H. Stringfellow.....48
	Kirk .....50
	Ryon 1
	Cutler .....14
	Landis.....13

Return of same judges in form prescribed, showing—

For Council.	For Representatives.
John W. Foreman.....61	J. H. Stringfellow.....48
	R. L. Kirk .....50
	Joel Ryon 1
	G. A. Cutler .....14
	John Landis13

Eighth Council District.—Twelfth Representative District.—Burr Oak Precinct.

Oaths of H. J. Johnson, Cary B. Whitehead, and Albert Head, judges, in form prescribed.

List of voters.....303

Tally-list.

For Council.	For Representatives.
William P. Richardson....234	Joel P. Blair.....256
John W. Whitehead 68	Thomas W. Waterson.....258
	John Fee..... 2

Return of same judges in form prescribed, showing—

For Council.		For Representati
William P. Richardson.....	234	Joel P. Blair.....
John W. Whitehead	68	Thomas W. Wate
		John Fee

Ninth Council District.—Thirteenth Representative D

Oaths of M. T. Baily, E. R. Zimmerman, and Thomas
son, judges, according to prescribed form.

List of voters

Tally-list.

For Council.		For Representati
D. A. M. Grover.....	411	H. B. C. Harris ..
— Freeland.....	1	J. Weddell

Return of same judges, showing—

For Council.		For Representati
D. A. N. Grover	411	H. B. C. Harris ..
J. Freeland.....	1	J. Weddell

Tenth Council District.—Tenth Representative Dis

Oaths of H. B. Cory, J. B. Ross, and J. Atkinson, ju
ing to form prescribed.

Return of same judges, stating that, having been swor
ceeded to open said election and receive votes, but that a
of citizens from Missouri assembled on the ground for th
illegal voting, who surrounded the window and obstructe
of the Territory from depositing their votes, and caused
said legal voters to leave without voting; and that the sa
consequence of the determination of citizens from Miss
and no voters of said district voting or offering to vote, t
ground.

Oaths of Richard Chandler, N. B. Hopewell, and Wi
ner, judges, that they will act as judges of the election, s
duct said election impartially and to the best of their a
cordance with the act of Congress organizing the Territo

List of voters.....

Tally-list, with certificate of return prefixed, showing—

For Council.		For Representati
R. R. Reese.....	233	W. H. Tebbs.....
L. J. Eastin	233	C. Hart
B. H. Twombly.....	6	
A. J. Whitney.....	6	

Fourteenth Representative District.

Oaths of Lewis N. Reese and George B. Pantton, that they will support the constitution of the United States, and will faithfully demean themselves as judges of the election, and will faithfully carry out the provisions of the act of Congress organizing the Territory.

Oath of Matt. France, in form prescribed.

List of voters.....964

Tally-list.

For Council.	For Representatives.
Reese .....896	W. G. Mathias .....899
Eastin .....893	H. D. McMeekin.....896
Kuykendall 1	A. Payne.....894
B. H. Twombly..... 60	Felix G. Braden..... 59
A. J. Whitney 59	Samuel France..... 59
	F. Browning 58

Return of same judges, omitting the words "by lawful resident voters," showing—

For Council.	For Representatives.
R. R. Reese.....896	Wm. G. Mathias .....899
L. J. Eastin.....893	H. G. McMeekin.....897
B. H. Twombly..... 60	A. Payne.....895
A. J. Whitney 59	F. G. Braden..... 59
Jas. Kuykendall..... 1	S. France..... 59
	F. Browning..... 58

Protest of Wm. Phillips and thirteen others, claiming to be citizens of the sixteenth election district, against the election of R. R. Reese, L. J. Eastin, Wm. G. Mathias, H. D. McMeekin, and A. Payne, for the reasons that the judges of election did not take the required oath of office; that residents of Missouri came to the same district, voted, and immediately returned to Missouri; that many of the citizens of said district were deterred from voting by the conduct of citizens from Missouri, supported by the affidavit of Wm. Phillips.

Protest of Andrew McDonald and others, against the governor's power to hear and decide between contestants for seats in the legislative assembly, as a usurpation of power not granted by the act of Congress organizing the Territory, and founded upon a misconstruction of the said act; that the governor is bound to recognise as legal votes all those received under the restrictions imposed by the organic act of the Territory and the proclamation; and that illegal votes are those where the returns show a non-compliance with those restrictions, and claiming from the governor certificates of their election.

Communication from A. M. Coffee and David Lykens, claiming certificates as members of the council from the fifth election district, and

claiming that they were elected by a majority of the legal voters of the district.

April 6, 1855. Decision of the governor upon the returns of election held 30th March, 1855.

First Council District.

Besides the protest filed against the election at Lawrence for importation of voters, there is a defect in the return. The words "lawful resident voters" are stricken out. The Lawrence election is therefore set aside, and a new election must be had for representatives.

Fourth Election District.

Besides the protest filed in this, there are material omissions in oath and return purposely made. This must also be set aside.

Seventeenth Election District.

The form of return is correct as prescribed, and no protest for illegal voting. The form of oath differs from that prescribed, but is a searching one, and nearly, if not quite, equivalent to that prescribed, and perhaps ought to be sanctioned. If so, this district will elect Thomas Johnson and Edward Chapman to the council, and A. S. Johnson representative.

Their election is, however, not declared at present, but held under advisement.

Second Council District.

The judges were sworn by G. W. Taylor, who had no authority to administer the oath. In addition, there is a protest complaining of importation of voters and violent expulsion of the original judges. For want of sufficient oath, the election is set aside, and a new election for council and representative ordered.

Third Council District.

Besides the protest for violent expulsion of the judges at the Tecumseh polls, and for illegal votes, there are material erasures in the oath purposely made; return in form prescribed. This is held under advisement for the present, but will probably be set aside; and if so, a new election will be ordered for representative.

Seventh Election District.

Besides the protest complaining of a large number of illegal votes, the judges do not appear to have been sworn at all. This poll is therefore set aside.

Eighth Election District.

No protest is filed, and the proceedings in regular prescribed form. A majority of votes for members of the house of representatives are

cast for A. J. Baker, esq., and he is declared elected in the fifth representative district. For council the vote is a tie between H. J. Strickler and H. Rice, so that as to council the result still depends upon the Tecumseh poll.

Fourth Council District.

Of the four precincts, Bull creek is the only one contested, that from Pottawatomie creek being withdrawn. Suppose the complaint to be true, if successful it cannot alter the result. The remaining three precincts are uncontested, and in form, and gave a majority to A. M. Coffee and David Lykens for council; W. A. Heiskell, Allen Wilkinson, Henry Younger, and Samuel Scott, for the house of representatives, and they are declared elected.

Fifth Council District.

The returns are all in due form, and no protest. William Barbee for council, and Joseph C. Anderson and S. A. Williams for house of representatives, are declared elected.

Sixth Council District.

The ninth and tenth election districts are in form as to their returns; no protest. S. D. Houston is declared elected representative in the eighth representative district.

In addition to the protest against the eleventh election district, (being the poll at Marysville,) the returns show a fatal defect. Instead of conducting the election by ballot, it must have been held *viva voce*, as the manner in which each person voted is recorded at once opposite his name. As the proclamation required the election to be by ballot, and the tickets to be counted after closing the polls, it is impossible to sustain this return. It is accordingly set aside. The residue of the district gives M. F. Conway a majority for council, and he is declared elected.

In the ninth representative district, the Marysville poll being set aside, the returns of St. Mary's and Silver Lake give Solomon McCartney 19, F. J. Marshall 16, Palmer McCartney 7, and Solomon McCartney is declared to be elected. It is alleged there is no such man, and that the vote for him was cast under mistake of the name of Palmer McCartney. A slight difference in names should always be disregarded to carry out the will of the voter, but the difference here is too great to be reconciled. If these facts are shown as alleged, the vote for Solomon McCartney is a nullity, and the certificate will be granted to Francis J. Marshall.

Seventh Council District.

The returns in form, and no protest. John W. Foreman for council, and J. H. Stringfellow and R. S. Kirk for house of representatives, are declared elected.

Eighth Council District.

The returns in form, and no protest. William P. Richardson for council, and Joel P. Blair and Thomas W. Watterson for house of representatives, are declared elected.

Ninth Council District.

Returns in form, and no protest. D. A. N. Grover for council, and H. B. C. Harris and J. Weddle for house of representatives, are declared elected.

Tenth Council District.

Besides the protest filed against the Leavenworth poll for illegal voting, it appears that the judges purposely struck out a material part of the prescribed form of return, to wit: that the votes were polled "by lawful resident voters." This poll is set aside, and a new election for representative becomes necessary.

In the 13th election district, the protest filed has been withdrawn, and the result stands upon the return of the judges who conducted the election and a counter statement of the judges appointed by the proclamation, who, after having taken the oath and entered upon the performance of their duties, abandoned the polls and left the ground, because, as they say, a large number of non-residents were on the ground demanding to vote and obstructing the polls, and because no lawful votes were presented. This is not a protest as provided for in the proclamation, and even if regarded as a report or return by them relative to the performance of their official duties, does not disclose sufficient reason for vacating their posts. They were not drawn away by force. If illegal votes were offered, it was their duty to remain and reject them. If the polls were obstructed, it was their business, at least, to endeavor to clear them, and at all events to endeavor to remain at their posts, in the performance of their duty, until the time for closing the polls, unless driven away by violence. The place they left was filled by other judges, appointed according to the proclamation, and their return, which is in form, and no protest before me, shows a majority for L. J. Eastin and R. R. Rees for council, and W. H. Tibbs for house of representatives, who are accordingly declared elected.

UNITED STATES OF AMERICA, }
Territory of Kansas. }

I, Andrew H. Reeder, governor of the Territory of Kansas, do hereby, under and by virtue of the act of Congress, passed the [SEAL.] 30th day of May, 1854, entitled "An act to organize the Territories of Nebraska and Kansas," proclaim and direct that the legislative assembly of the said Territory of Kansas will convene at the town of Pawnee, in the 9th election district of said Territory, on the

first Monday of July next, in the building which will be provided for that purpose.

Given under my hand and the seal of said Territory, this sixteenth day of April, A. D. 1855.

A. H. REEDER, *Governor, &c.*

By the Governor:

DANIEL WOODSON, *Secretary.*

MAY 29, 1855.—Returns received from the elections held on the 22d May, in pursuance of the governor's proclamation of the 16th of April, to fill vacancies, and filed away for the action of the governor upon his return to the Territory.

JUNE 25, 1855.—The governor declares John Hutchinson, Erastus D. Ladd, and Philip P. Fowler to be duly elected to the house of representatives from the second representative district; John A. Wakefield to be duly elected a member of the second election district, and Augustus Wattles and William Jessee to be duly elected members of the house of representatives from the same district; Jesse D. Wood to be duly elected a member of the council from the third council district; William G. Mathias, A. Payne, and H. D. McMeekin to be duly elected members of the house of representatives from the fourteenth representative district; and C. K. Holliday to be duly elected a member of the house of representatives from the fourth representative district.

AUGUST 16, 1855.—Governor Reeder announces to the legislative assembly his removal from office.

AUGUST 10, 1855.—Wilson Shannon, of the State of Ohio, is commissioned governor of the Territory by the President of the United States.

SEPTEMBER 7, 1855.—Governor Shannon takes the oath of office.

LECOMPTON, KANSAS TERRITORY,
Secretary's Office, May 8, 1856.

At the request of the Committee of Investigation of Kansas affairs, I hereby certify that the returns of the 30th of March election, held in 1855, for the 2d and 8th election districts, have been misplaced or lost. They were handed over to the committee on credentials at Pawnee, in July, 1855, and I have not seen them since. It is believed that they were misplaced by the committee, as, upon examination afterwards, they were not found among the papers that were returned by the committee.

It is proper to state that there were no suitable places or rooms at Pawnee for the committee to hold their sittings or keep their papers; hence it is not at all surprising that some of them were mislaid or lost.

DANIEL WOODSON,
Secretary Kansas Territory.

ELECTION OF MAY 22, 1855.

MATT. FRANCE testifies :

To Mr. Sherman :

I came into the Territory in 1854, and settled in Leavenworth city. I was one of the judges of the special election, held on the 22d of May, 1855, for three representatives of the Territorial legislature. The other judges were J. M. Lyle and Adam Fisher. There was some excitement here at that time on political subjects. It was just after the mobbing of Phillips. The election was at the back part of the Byron saloon, at the house of George Leegadder. Every one voted on that day who wished to. The question was talked of between the judges. The decision was, as made by Lyle and Fisher, that we could do nothing else but take all the votes that were offered. No man was challenged that day, and whoever wanted to vote, voted. Fisher gave, as a reason, that we should be mobbed unless we took all the votes offered. There were a great many persons that voted that day, that I believe were non-residents of the Territory. I was well acquainted with the men of this district, and I have not seen those persons since, and had not seen them before. There was a boat came in that day, the name of which was "Kate Kassel." There were some men came to the polls soon after and voted. Some voted one ticket, and some another. There were different colored tickets used that day by the different parties, so that we could distinguish them. The other strangers voted the pro-slavery ticket, which I think was of a green or bluish tint. The free-State ticket was white. Nothing was said about the residence of voters when they came up, at all. The election passed off quietly. There was some fighting in the evening, but it was not of a political character. The free-State men did not all vote that day. There were some in town that I know did not vote. I voted that day. We all signed the return.

Question. Why did you sign the return of that election without erasing the words, "by lawful resident voters?"

Governor King objects.

The witness resumes: I was under the impression that the words were scratched off when I signed it. I had scratched it off of one blank certificate, and handed it over to the other judges to be filled up, and they or the clerk filled up a certificate and handed it to me to sign, and I did so without further examination, and did not notice that it was not the same one from which I had erased the words, "by lawful resident voters," until some two months afterwards.

The above answer, by a decision of a majority of the committee being allowed to be made, it is objected to by Governor King, on the ground that it is in effect allowing the witness to stultify himself, falsifying the certificate, and that he has no right to do this unless it was signed upon duress.

The majority of the committee allow the witness to make the ex-

planation, solely for the purpose of showing why the certificate differs from his testimony.

Witness resumed: I took an oath of office at the election on the 22d of May, as one of the judges of election, as prescribed by the governor. The other judges took the same oath. I consider myself a conservative man. Myself and Mr. Fisher were in favor of making Kansas a free State. The reason why we took so many illegal votes was, because I was overruled. The other judges must explain their own conduct themselves. Mr. Fisher and I never spoke about admitting votes until we got into the room where the poll-books were. The question was sprung upon me when we were in the room taking votes, and it was decided against me by the other judges. This decision was made upon a challenge, but whether by me or somebody else I do not know. The pro-slavery men all voted, or generally so. There were no political fights, but there was some political excitement, but I do not know that there was more than usual on days of election. I saw nothing there to deter me from doing my duty as a judge of the elections.

MATT. FRANCE.

LEAVENWORTH CITY, K. T., *May 31, 1856.*

J. H. DAY testifies:

To Mr. Matthias:

I came into the Territory on the 11th of October, 1852, from St. Paul's, Minnesota Territory, and settled in Leavenworth city, and have lived here ever since. I was present at the election of the 22d of May, 1855, in this city. The candidates of the pro-slavery party considered that the governor had no right to set aside the election of the 30th of March, 1855, and order a new election; and they took but little interest, and left the people to do as they pleased about it. I do not recollect as I voted that day. There was no crowd of strangers here on that day, and the election passed off quietly. I do not recollect of hearing an angry word that day. I never heard the legality and fairness of that election questioned by any one, unless in this way—that the governor had no right to order it. I think the number of legal voters was larger on the 22d of May in this district than at the previous March election; and my opinion is, that the majority of the pro-slavery party had increased. I could not designate any legal voters of the district who were not present at the election of the 22d of May, because my memory is not clear on that point, on account of the number of elections that have been held in this city since then. When I first came into the Territory I brought a letter of introduction to Governor Reeder, which I presented to him in a short time after I arrived; and at that time, and also afterwards, when I was appointed by him a justice of the peace, I endeavored to learn from him what time the Territory would be probably organized and the legislature called together, but I could get no satisfactory answer from him; and by the time of the March election there was a

general dissatisfaction at the delay in organizing the Territory, and I have no doubt if the Territory had been organized as soon as the Territory of Nebraska was, there would have been no difficulty here. I think the primary cause of the difficulty in the Territory was the operation of the Emigrant Aid Society. Subsequently to that Governor Reeder seemed to co-operate with them—so the general impression seemed to be : by keeping the elections back from fall to spring was to produce a different result. It is my opinion that if the government had been organized immediately after the governor had arrived here, there would have been no difficulty, as parties could not have had time to be got up to raise excitement on the political questions of the day. The people were also dissatisfied in regard to the time when the census was taken, which was in mid-winter, when many of the actual residents were in Missouri, to pass the cold weather and settle up their business, intending to return into the Territory in the spring ; and those persons were not enumerated in the census that was taken, because the census takers said the governor had ordered them to take the names of none but those then in the Territory. The people were frequently consulting and conversing about doing something to importune and induce the governor to proceed and organize the Territory. I became so much dissatisfied at the delay myself, that I sent in my resignation to the governor as justice of the peace, about the 1st of March, 1855.

Cross-examined by Mr. Howard :

I think that the operations of the Emigrant Aid Society is generally regarded as the primary cause of the difficulty here. My understanding of the operations of the society, formed from the New York Tribune and some publications purporting to be from the society, were that they formed an association to assist emigration in the west, and through this emigration to obtain valuable possessions, property, &c., in the Territory, to make Kansas Territory a free State ; and then the emigrants were to pull up stakes and move to other places to do likewise. The Tribune, I think, said that when they had employed their operations here they would carry the war into Africa ; meaning, I suppose, that they would commence operating in Missouri. This I understood to be the case before I came into the Territory. If I had proof conclusive that such was not the object and operations of the Emigrant Aid Society, then I should say that the general belief that such was the case still was the primary cause of the difficulty here.

J. H. DAY.

LEAVENWORTH CITY, K. T., *May* 31, 1856.

WILLIAM H. ADAMS testifies :

To Governor King :

I was residing here at the *May* election, and had resided here since *August*, 1854. At that election, the same candidates which had been elected at the 30th of *March* election, and which election had been

set aside by the governor, were re-elected on that day, though they did not proclaim themselves as candidates, from the fact that they considered their previous election legal. I never heard a charge that the election of the 22d of May was carried by illegal voters. They gave it up, considering that they were in a minority in this district; that the pro-slavery party was the strongest. I did not see many Missourians here on the 22d of May. Some few of them I saw vote, but some of them said they considered themselves residents of this district, and had property here. I think we had five hundred majority in this district at that time.

On the day of the election, I saw a steamboat called *Kate Kassell*. I saw one of the free-State candidates on the boat. I couldn't tell what he was doing. He was on the lower deck among the hands. After that, some twenty or thirty of the deck hands came up and voted the free-State ticket. From my knowledge of the Missourians, who voted here that day, I think it was about a fair stand off. That has always been my impression.

To Mr. Sherman :

I was on the "*Kassel*" that day myself. I know those men voted the free-State ticket, by the color of their ticket. I do not know why they were not challenged. I was present at the time. I do not know that any one was challenged that day. We did not consider that election as a legal election, as the candidates had before been elected. I cannot say whether there were more than fifty illegal votes that day, more or less.

WM. H. ADAMS.

LEAVENWORTH CITY, K. T., *May* 31, 1856.

GEO. H. KELLER testifies :

To Mr. Howard :

I was here in Leavenworth city at the called election of the 22d of May, 1855, for members of the legislature. I do not now recollect all the judges of elections that day. Mr. France was one, I think. The pro-slavery candidates were Mr. McMulin, Mr. Matthias, and Mr. Payne. I was so very busy in my hotel at that time, that I cannot call to mind all the particulars about these elections. I think Mr. France was one of the judges at the May election, though it may have been the March election. I do not think I voted on the 22d of May. I was not around among the voters much, but I noticed, as I passed through the streets, that the crowd was very great, and perhaps as many as on the 30th of March, 1855. A great many persons from Platte and Clay and Ray counties whom I knew, and who told me they were from those counties, were here. I lived in Platte county for sixteen years. The election looked very much like old elections I used to attend in Platte county, as there were so many familiar faces to me. I did not see any of these persons vote. A gentleman by the name of Gaitin came to my house in the morning, and said he had

brought over a pretty good company, some sixteen or seventeen. I think he said, to vote. He was from Clay county, near Liberty, Missouri. I recollect of talking to another man, who told me he was from Ray county, here, and I do not recollect his name. He said he had brought along a pretty good company; but I do not recollect that he told me how many he had with him. I do not know as Mr. Gaitin told me on that day what induced him to come here to vote, or in regard to their right to vote. He told me that it was the calculation to come here and vote, and to have those with him vote. I did not attend the polls, and cannot say whether any of these men voted or not.

Cross-examined by Mr. Oliver:

I do not recollect the name of the person who told me his party came from Ray county. I think he said he came from somewhere near Richmond, Ray county. I should recollect the man if I should see him; but I cannot tell his name, and do not know as I could recollect his name if I heard it. I do not think he told me how many he had with him, but he said he had a company with him. I have seen the man here since this committee came here. I do not know that he lived in Ray county, except that he told me so, and that he intended to come to the Territory. If I am not mistaken, he said something about having a claim in the Territory. I do not recollect whether he said anything about the others having claims here. Upon hearing the name of Wilkinson, I think it sounds something like the name of that man, though I cannot be at all positive about it. I do not know that any persons from Missouri voted. I noticed no disturbance, or effort to control the vote of any one. I was not at the polls at all. I know but little of what was going on. I did not vote; not because I was afraid, but I did not want to push myself through the crowd, and take up so much time in voting, and because I understood Missourians were there. No one from Missouri told me he voted the free-State ticket, that I know of. I do not recollect of any gentlemen coming down from Weston, Missouri, and saying they would vote the free-State ticket, if they voted at all. I did not see any men from Missouri I knew to be free-State men.

G. M. KELLEY.

LEAVENWORTH CITY, K. T., *May* 31, 1856.

ADAM FISHER called and sworn.

By Mr. Sherman:

I came to the Territory in October, 1854, and have resided here ever since. My occupation is that of merchant.

I was one of the judges of the election in May, 1855, for the election of three representatives; and appointed by Governor Reeder. There was considerable excitement in the community at that time.

There had been different constructions put upon who were legal voters and who were not. On the morning of the election the judges

appointed by the governor met at the place of election. The question was not raised before the opening of the polls. The question was raised along as the vote proceeded frequently, but at what stage it was first raised I do not know. France frequently made the objections. My own opinion was, from what I heard and from the explanations of lawyers, that a man having a claim or interest here, and intending to move here in future, had a right to vote. I cannot be positive as to whether anybody was refused the right to vote. No challenges were made outside. For my part, I allowed no man to vote but such as I have described. I know that Mr. France made frequent objections; but whether we overruled him or not in every case, I cannot say. I don't think I ever held, that merely because a man was here, he could vote. He must have some show of interest. My impression is that we did not administer an oath that day that I recollect of, but we were asked many questions, and in many cases the friends of the voters would tell what interest they had, and we would take it so, and allow them to vote. I do not know that we allowed any people that came up in a steamboat that day to vote. I don't know that we took the vote of any total strangers without asking them some questions. I do not know but we received the votes of some men who had homes in Missouri, as the ground I took was, that every man who had any interest here had a right to vote. There were many citizens of Missouri who had interests here—at least they said so, and I believed it; and in all such cases Lyle and I received their votes, France in many cases objecting. I cannot state what proportion or number of persons voted that day who had interests here, who resided elsewhere. I can't state what number of free-State men refused to vote that day, but I know that some of them did not vote, and would not vote.

At night, when we were making up our return, Mr. France contended that the words "by lawful resident voters" should be stricken out. I did not take any interest in that question, and do not remember distinctly whether it was done or not. I know that he contended for it at night, and differed with us in many cases as to who were legal resident voters during the day. I did not feel frightened myself, but if we had excluded the Missourians from voting I do believe there would have been a fuss. I mean by Missourians such men as claimed to have an interest. I thought they would have insisted upon their voting strongly. I don't know that this influenced me in my opinion. I acted upon my own opinion—upon what was law—upon what I heard other men say.

To Governor King:

Myself and Mr. France were what were called free-State men. I do not know of any free-State men being deterred from voting that day on account of his political views, and if they had wanted to vote they had an opportunity to, so far as I know. I don't know that any crowd that came off of a boat voted that day. I don't remember that any crowd of twenty or thirty men, distinct in their appearance from other men, voted a mixed ticket or otherwise; and as far as I can now remember, I cannot state whether there were different

colored tickets that day or not. I let no man vote that day, by my decision, whom I did not consider to be entitled to vote. I was satisfied with the certificate of election, as prescribed by the governor, at the time I signed it.

To Mr. Sherman :

I don't know whether the words "by lawful resident voters" were in the certificate or not. I don't remember whether they were in or not. I did not allow any one to vote unless he had some interest in the Territory. Many never voted whom we did not ask any questions. When we would ask a question the voter would either say he had a claim, a town lot, or some interest, and we would believe it, and allow him to vote. The reason why I thought there would be a fuss, if we excluded the persons I speak of, was, that I heard men swearing they would vote, and from their motions outside. Those men who voted, and of whom we asked no questions, I cannot state whether I knew or not.

To Governor King :

We supposed that those men whom we let vote without asking questions were such as had a right to vote without the necessity of a question. The certificate of election appended to the poll-books in the possession of the committee seems to be like the one I signed. I do not know whether I objected to or consented to an alteration of the certificate—I did not care to have it altered myself or not.

ADAM FISHER.

LEAVENWORTH CITY, K. T., *May 31, 1856.*

AMOS REES testifies :

I moved into the Territory in July, 1855, and have lived in Missouri since 1818, and am a practising lawyer. I was present at an election held at Leavenworth on the 22d of May, 1855, for three representatives. My impression is that I did not vote at that election. The slave party took no interest in it, thinking that Reeder had no right to set aside the former election, and took but little interest in it; and I may and may not have voted myself. I know a great many citizens who voted. I know the following persons to have lived in Missouri at that time: Ex-Judge Wm. B. Almond, Robert Kane, William R. Kane, Malcolm R. Green, Joseph Cocriell, M. Pemberton, Daniel P. Lewis, L. Shepherd, John Venoman, James H. Headly, (now clerk of the court of Atchison county, K. T.) S. P. Styles, Wm. Bywaters, Isaac House, (now in Kickapoo, K. T.), A. W. Hughes, Abner Dean, John Wilson, Edward P. Duncan, Hugh Sweeney, Wm. J. Norris, Samuel R. Orfutt, Wm. H. Bell. The last named has a claim in the Territory with improvements. He has two sons here living on the claims. I know George Quimby. He had previously lived in Missouri. His family was still there. He was largely interested in the town of Delaware.

He had a house built here, and kept a grocery-store and livery-stable, and was interested in the ferry. He professed to be trying to dispose of his property in Platte city, to move to Delaware. He has since sold it and now lives there. I looked upon him as a settler, in the same light that I did myself before I moved.

The John Wilson whom I know, I am satisfied never voted at any election in the Territory. W. G. Bonnell is in the same condition of Quimby. Francis J. Marshall, who was a member of the legislature, I understand lives in Marysville, in the eleventh district. I am satisfied that a great many men who were here from Missouri at that election did not vote. I cannot state how many did vote. I don't know that any single man voted. I did not watch the polls, or pay much attention to the matter.

AMOS REES.

LEAVENWORTH CITY, K. T., *May 30, 1856.*

LUCIAN J. EASTIN testifies:

To Governor King:

I have resided in Leavenworth city since October, 1854, and was a candidate for the council at the 30th of March election, 1855. Governor Reeder set aside the election for representatives in the sixteenth election district, and ordered a new election, which was held the May following. The candidates at this election were the same as at the March election, and whose elections were set aside by the governor. I suppose there were about 715 votes polled at that election. I believe they were mostly, if not all, legal voters. The free-State candidates were, Edsall, Gould, and Pennock. I saw a number of votes given for their candidates by deck-hands and others from the steamer *Kate Castle*, lying at the levee. Some of them, I think, went up with Mr. Gould, one of the free-State candidates, or they seemed to be along with him. I saw probably about six or seven Missourians on the ground. There was no voting, or attempting to vote, that I know of. They believed the election to be illegal, and therefore took no interest in it. I heard one of the pro-slavery candidates say, on the morning of the election, that he was not a candidate, and this was the expression of all three of the candidates—that they did not recognise the right of Governor Reeder to set aside that election, and, therefore, they considered the election was invalid. The legal voters here determined to go into the election, believing they had the strength. I think the majority was from three to four hundred for the pro-slavery party. I believe that the poll-books show about the strength of parties, for I saw about five or six Missourians and the deck-hands I spoke of, about the polls. I never have examined the poll-books to know whether the voters were residents or not. I could not say whether or not the number of votes in the district was seven hundred.

L. J. EASTIN.

LEAVENWORTH CITY, K. T., *May 29, 1856.*

Returns of an election held in the first, second, third, seventh and sixteenth districts of the Territory of Kansas on the 2d May, A. D. 1855.

[Joel Grover, William Yates, and Josiah Miller were judges, according to printed form.]

FIRST DISTRICT—*Laurence.*

1 Beckman Mead	55 Paul Jones
2 Solomon Wildes	56 Nelson Eagle
3 Michael Albin	57 Hugh Pettingall
4 Hiram Shields	58 Samuel Kimball
5 James Sawyer	59 S. N. Simpson
6 John Hutchinson	60 Henry S. McLelland
7 Erastus D. Ladd	61 Allen Ham
8 Hiram Dunbar	62 L. D. Colman
9 Morris Hunt	63 Lewis Farley
10 W. M. Patterson	64 D. H. Wright, (oath)
11 E. D. Lyman	65 Increase Whitcomb
12 John E. Stewart	66 Zeno B. Page
13 R. T. Elliott	67 _____
14 Asaph A. Faxon, (oath)	68 E. Jones
15 William A. Holmes	69 James J. Brown
16 Edward Jones	70 John R. Griffith
17 S. N. Wood	71 David S. Morris
18 S. J. Willis	72 Charles Robinson
19 H. Stevens	73 Otis Potter
20 Samuel Anderson	74 William Lyon
21 John Dosey	75 Wilder Knight
22 Charles Dickson	76 James Jamison
23 John L. Crane	77 Thomas Little
24 Levi Gates	78 J. E. Rice
25 Turner Sampson	79 Calvin G. Hoyt
26 C. A. Haskell	80 B. Johnson
27 Leonard Litchfield	81 W. H. Hovey
28 Lyman Allen	82 David Harmon
29 F. O. Folles	83 J. M. Jones
30 George Cary	84 T. Clemens
31 Norman Allen	85 Ezra Pierce
32 George W. Hunt	86 J. R. Ladd
33 William Esterbrook	87 John Stanton, (oath)
34 George W. Dietzler	88 Geo. W. Gingrich, (oath)
35 William Benson	89 Henry S. Everheart
36 Samuel G. Ladd	90 John Bigelow
37 Ernest Smith	91 M. M. Hamaron
38 C. S. Pratt	92 Lewis J. Everheart, (oat
39 R. P. Moore	93 Joseph W. Russell
40 O. A. Hanscom	94 James D. McLain, (oath)
41 R. M. Wilkinson	95 J. L. Spice
42 W. A. Gentry	96 Daniel W. Palmer
43 Joseph Cracklin	97 Charles Jordan, jr., (oat
44 Charles Campbell	98 Stephen Ogden
45 O. D. Smith	99 J. L. Merrill
46 Henry D. Graves	100 L. S. Bacon
47 John W. Stevens, (oath)	101 A. E. Claverson
48 Samuel Merrill	102 S. T. Lum
49 Hanson Calkins	103 R. J. Horton
50 Horace C. Manning, (oath)	104 Lewis Howell
51 Jeremiah Spencer	105 Henry Atherton
52 Philip K. Huff	106 George Gilbert
53 E. A. Coleman	107 John Ogden
54 Eben Goddard, (oath)	

- 108 Samuel Gill, (oath)
- 109 N. F. Herrick
- 110 Ira W. Ackley
- 111 Fred. J. Locke
- 112 James Lain, (oath)
- 113 Thomas J. Stone
- 114 Stillman Andrew
- 115 Franklin Haskill
- 116 E. F. Mayo
- 117 Simeon Gibson
- 118 A. S. Addis
- 119 C. H. Thomas
- 120 N. B. Howland
- 121 John Pike
- 122 Edward Clark
- 123 Charles Harrington
- 124 Samuel Phillips
- 125 Edwin Bond
- 126 Ferdinand Fuller
- 127 M. S. Wright
- 128 S. R. Smith
- 129 John Wild, (oath)
- 130 John S. Mott
- 131 James Clark
- 132 N. W. Maxwell
- 133 R. D. Maxwell
- 134 David Borton
- 135 A. D. Searl
- 136 William Robbins
- 137 E. H. Mobray
- 138 J. F. Morgan
- 139 G. W. Goss
- 140 John Michael Ecalhap, (oath)
- 141 Leverett Haskell
- 142 James Fuller
- 143 Charles Pottingall
- 144 O. H. Lamb
- 145 S. L. Lapham
- 146 V. L. Purse, (oath)
- 147 E. A. Landon
- 148 J. W. Wayne
- 149 John Derby
- 150 L. W. Plum
- 151 James Whaley
- 152 Francis Killam
- 153 J. D. Heald
- 154 M. J. Parrott
- 155 G. W. Brown
- 156 Enoch Howland
- 157 James Clark, sr.
- 158 G. W. Nichols
- 159 F. A. Bailey
- 160 Albert F. Bercall
- 161 George Churchill
- 162 Amora Soule
- 163 F. P. Vaughan
- 164 L. H. Bascomb
- 165 J. H. Gleason
- 166 J. S. Cowan
- 167 N. H. Smith
- 168 Philip P. Fowler
- 169 Josiah G. Fuller
- 170 John H. Wildes
- 171 Edward Windon
- 172 Charles Garrett
- 173 W. J. R. Blackman, (oath)
- 174 E. Gray, (oath)
- 175 Joseph Boges
- 176 G. R. Smith
- 177 H. F. Landas
- 178 W. D. Atwood
- 179 S. M. Saltus
- 180 M. L. Gaylord
- 181 John Roe
- 182 D. W. Bentley, (oath)
- 183 Thos. Chapman, (oath)
- 184 H. N. Bent
- 185 David Brown
- 186 Charles Lezge
- 187 J. C. Gordon
- 188 John Armstrong
- 189 Daniel Low
- 190 William Meains
- 191 J. D. Barnes
- 192 Thomas Wells
- 193 Carlos Hall
- 194 Ezra A. Potter
- 195 George Earl
- 196 William Gibbons
- 197 James A. Dale
- 198 J. W. Junkins
- 199 Henry Newman
- 200 J. T. Cummings
- 201 James M. Fuller
- 202 Henry Hurd, (oath)
- 203 Abijah White
- 204 William Marshall
- 205 R. S. Richardson
- 206 Hanson Nichols
- 207 William Whitlock
- 208 George H. Croches
- 209 Charles W. Hanley
- 210 W. D. Jennerson
- 211 John G. Croelen
- 212 James M. Gillis
- 213 A. D. Todd
- 214 Robert Vanwinkle
- 215 Seth Roderbough
- 216 Salem Gleason
- 217 Jacob E. Strout
- 218 S. B. Dudley
- 219 D. G. Vanwinkle
- 220 F. McD. Hunt
- 221 Bryce W. Miller
- 222 G. W. Fits
- 223 Samuel C. Smith
- 224 John Spear
- 225 C. Hornsby
- 226 William Mathews
- 227 George Mathews
- 228 Joseph Savage
- 229 H. J. Tadder
- 230 Wm. Hornsby
- 231 David Penington
- 232 Curtis H. Keyes
- 233 Reuben Randall
- 234 Oscar Burroughs
- 235 Charles M. Docknew
- 236 J. R. Abbott
- 237 R. W. Wood
- 238 Clark Stearns
- 239 H. A. Hancock

240 Paul R. Brooks	274 Robert Garvin
241 C. W. Babcock	275 J. M. Graham
242 H. Clark	276 Joshua Smith
243 Robert McFarland	277 Wm. Worriker
244 Thos. McFarland	278 C. W. Pensall
245 Wm. Hutchinson	279 Asaph Allen
246 John Fry	280 A. B. Wade
247 Thomas Garvin	281 T. E. Benjamin
248 Henry E. Babcock	282 Harvey N. Street
249 A. Wilder	283 Martin Adams
250 Daniel Mailley	284 Caton Adams
251 P. B. Harris	285 Willard Colburn
252 Amory Wetherbee	286 John O. Richer
253 O. Harlow	287 Wm. Cleland
254 T. Johnson	288 John Clery
255 Henry B. Gage	289 Wm. J. Schaeff
256 S. S. Snyder	290 James Garvin
257 John Gingerich	291 Robert Ervin
258 John Wise	292 Henry Benson
259 S. J. Pratt	293 P. O. Conner
260 Levi Ferguson	294 G. W. Reed
261 John Anderson	295 Alfred Payne
262 Homer Hoge	296 John Mack
263 G. W. Hutchinson	297 Joel Groves
264 R. H. Pierce	298 Josiah Miller
265 R. G. Livingston	299 William Yates
266 John R. Longhead	300 J. S. Emery
267 Thos. S. Weeks	301 L. B. Kerns
268 John A. Lowry	302 Silas Green
269 G. W. Kent	303 Noah Cameron
270 Francis M. Littlefield	304 E. S. Scudder
271 Wm. Savage	305 A. C. Harrington
272 John P. Wood	306 Wm. Blair
273 Harvey Jones	

We, the undersigned, judges of an election held on the 22d of May, A. D. 1855, at the house of Wm. H. R. Lykins, in the first election district, for the election of members of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election, by lawful resident voters, viz:

Philip P. Fowler.....	288	G. W. Kent.....	1
John Hutchinson.....	283	R. T. Horton.....	2
Erastus D. Ladd.....	286	John Biglow.....	1
G. W. Brown.....	16	Dr. John Day.....	1
S. N. Simpson.....	10	S. N. Wood.....	3
Edwin Bond.....	10	Mrs. C. J. H. Nichols.....	1
Samuel Hoyt.....	2	Orville D. Smith.....	1
O. A. Hanscom.....	1	Wm. Lyon.....	2
Peter Farley.....	1	Lyman Allen.....	2
John Lowry.....	3	Blank	1
H. N. Bent.....	1		

WM. YATES,
JOEL GROVER, } *Judges.*
JOSIAH MILLER,

Subscribed and sworn to before me, this 22d day of May, 1855.
J. S. EMERY, J. P.

SECOND DISTRICT.

We, the undersigned, judges of an election held on the 22d day of May, A. D. 1855, at the house of Harrison Burson, in the second election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election, by lawful resident voters, viz :

For Council.

John A. Wakefield..... 127

For Representatives.

Augustus Wattles..... 124

Wm. Jessee..... 127

H. BURSON,	} Judges.
N. RAMSEY,	
WM. SIMMONS,	

Poll-book of an election held in the second judicial district, in Kansas Territory, for the election of one councilman and two representatives, May 22, 1855.

1 G. W. Cosaley
 2 John H. Woods
 3 T. M. Pierson
 4 Thos. Barber
 5 J. J. Miller
 6 T. W. Barber
 7 Henry Pauf
 8 G. W. Chafin
 9 J. B. Swain
 10 D. C. Buffum
 11 J. B. Choat
 12 Thos. B. Wolverton
 13 J. G. Snodgrass
 14 Wm. Tackett
 15 N. Ramsey
 16 Augustus Wattles
 17 Harrison Benson
 18 Wm. M. Haseltine
 19 Thos. Bickerton
 20 Alex. Love
 21 E. B. Haseltine
 22 Lewis Duffee
 23 T. R. Herd
 24 Isaac Stull
 25 John A. Wakefield
 26 J. H. Firman
 27 J. H. Lyon
 28 J. H. Mussey
 29 E. B. Night
 30 Owen T. Bassett
 31 G. W. Purse
 32 Dennis C. Blakely
 33 H. R. Rawson
 34 Rudolph Thommen
 35 Hen. W. Fick
 36 Wm. B. Lewis
 37 Jas. H. Thompson
 38 Henry Learned
 39 E. W. Smith
 40 Horris Hobbs
 41 Hugh Gaston

42 Owen Taylor
 43 J. M. Tuton
 44 Alfonso C. Jones
 45 J. L. Harlin
 46 Edward Oakley
 47 A. J. Smith
 48 A. Hilfelt
 49 Samuel Smith
 50 Joseph Oakley
 51 Jas. M. Dunn
 52 T. W. Sletter
 53 W. W. Hall
 54 H. T. Wakefield
 55 O. L. Spradling
 56 J. N. Mace
 57 Wm. Draper
 58 Jos. Bryant
 59 Peter V. Whiteneck
 60 George W. Zinn
 61 Isaac Shurley
 62 Dudley Bryant
 63 H. C. Muzzy
 64 Chas. W. Smith
 65 Wm. Glenn
 66 Geo. Taylor
 67 Robt. Huse
 68 Wm. Willensherry
 69 Andrew White
 70 J. S. White
 71 F. A. Mussey
 72 M. E. Grimes
 73 Milan Grount
 74 Able Yates
 75 John Moss
 76 Madison Clayton
 77 H. C. Alderman
 78 Abr. Hendricks
 79 Stephen Dunkin
 80 Jackson Roberts
 81 G. H. Snyder
 82 N. Snyder

83 Henry H. Conner	106 Saml. Casabere
84 Henry L. Baldwin	107 John C. Archibald
85 Andrew S. Bahlwin	108 R. J. Haseltine
86 A. J. Corbitt	109 Ebenezer Archibald
87 F. Barker	110 Saml. Walker
88 Saml. Jones	111 Thos. Burnett
89 David Ward	112 George Anderson
90 Saml. Comer	113 Thos. J. Nichols
91 J. W. Hamilton	114 Benj. Stowe
92 Saml. Coffin	115 Warren Stowe
93 Nathan Heric	116 Allen C. Platt
94 J. C. Dunn	117 Jared Carter
95 Wm. Watson	118 Ebenezer Disbro
96 Wm. Beely	119 Jos. Gardner
97 Henry Hine	120 Chas. R. Smith
98 Alfred Peak	121 E. J. Macy
99 G. W. Umberger	122 Edwin Gardner
100 Joseph Anderson	123 Wm. Gansen
101 David Kenzie	124 E. Huddleson
102 John Scott	125 John Macy
103 David Jackson Casabere	126 Wm. Reikett
104 J. B. T. McFerson	127 Aaron Sims
105 Robt. Allen	

Nathaniel Ramsey and Wm. Simmons sworn, according to printed form, as in district No. 1, (first election,) before H. Burson, justice of the peace, and H. Burson before N. Ramsey, as judges of election.

THIRD DISTRICT.

We, the undersigned, judges of an election held on the 22d day of May, A. D. 1855, at the house of T. N. Stinson, in the third election district, for the election of members of the council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz: the whole number of votes cast for councilman was one hundred and forty-six, of which Jesse D. Wood received one hundred and forty-six.

The whole number of votes cast for representatives was one hundred and forty-eight, of which Cyrus R. Holliday received one hundred and forty-seven, and F. W. Giles received one.

DANIEL H. HORNE,
JOHN RITCHEY,
AMOS G. ADAMS,

Judges of Elections.

List of votes polled at the election held in the town of Tecumseh, in the third election district, on the twenty-second day of May, A. D. one thousand eight hundred and fifty-five.

1 D. W. Cleveland	6 Henry Stofel
2 Daniel Sayer (?)	7 Jos. C. Miller
3 H. B. Coles	8 A. Swift
4 Joshua Abbott	9 Timothy Fessenden
5 S. J. Case	10 David Stofel

- 11 Kinsey Stofel
- 12 Sanford Henry
- 13 George F. Brown
- 14 James McEnarry
- 15 J. P. Perin
- 16 Elnathan Trask
- 17 Alexander Leslie
- 18 Israel Zimmerman
- 19 D. W. Horne
- 20 Robert L. Mitchell
- 21 Wm. H. Brown
- 22 Hy. P. Waters
- 23 J. N. Frazier
- 24 Andrew S. Waters
- 25 Thomas G. Thornton
- 26 Ambrose W. Ford
- 27 George Davis
- 28 William R. Miles
- 29 Philip Briggs
- 30 Samuel Gray
- 31 J. T. Jones
- 32 Charles Jordan
- 33 L. Y. Cook
- 34 G. H. Pool
- 35 W. W. Phillips
- 36 John M. McBride
- 37 James Percart
- 38 Enoch Chase
- 39 C. G. Howard
- 40 C. N. Gregg
- 41 Jonas E. Greenwood
- 42 Jos. C. Wollfelt
- 43 E. S. Dexter
- 44 Samuel Hall
- 45 Lewis C. Wilmath
- 46 William F. Crites
- 47 Charles Crites
- 48 George B. Freness
- 49 McC. Martin
- 50 Abner Dow
- 51 Timothy McIntire
- 52 Orlando Rawson
- 53 Charles A. Sexton
- 54 A. F. Hartwell
- 55 P. R. Hubbard
- 56 Francis Davis
- 57 Moses Hubbard
- 58 F. W. Giles
- 59 Robert Wileman
- 60 J. F. Meriam
- 61 D. H. More
- 62 Hiram H. Wentworth
- 63 Edward F. Callan
- 64 E. R. Moffatt
- 65 J. W. Emerson
- 66 William R. Dyer
- 67 A. W. More
- 68 J. C. Colter
- 69 John A. Wirt
- 70 Jos. H. Weaver
- 71 A. G. Adams
- 72 John Ritchey
- 73 Alexander Bliss
- 74 George W. Hathaway
- 75 William W. Johnson
- 76 Daniel H. Horrie
- 77 William Scales
- 78 L. Farnsworth
- 79 L. G. Cleveland
- 80 L. P. Haskell
- 81 J. G. Thompson
- 82 Charles Morley
- 83 Charles L. Wilbur
- 84 William E. Bruker
- 85 Parsons Haskell
- 86 H. G. Young
- 87 Robert M. Luce
- 88 Leonard Wendall
- 89 Edward Plummer
- 90 Samuel A. Wynn
- 91 S. E. Martin
- 92 Edward Seagrave
- 93 Jesse Stone
- 94 Andrew Wynne
- 95 Albert Wish
- 96 Charles Morland
- 97 Barney Miller
- 98 H. C. Cooke
- 99 H. B. Burgess
- 100 L. C. Atwater
- 101 Isaac Wynn
- 102 Augustus H. Bernard
- 103 James G. Bolles
- 104 Benjamin Getchell
- 105 William H. Weymouth
- 106 M. C. Drinkwater
- 107 H. Fletcher
- 108 Robert Todd
- 109 Samuel Cavender
- 110 James M. Hammond
- 111 Charles C. Preston
- 112 Daniel Turner
- 113 George S. Holt
- 114 David P. Hammond
- 115 J. W. Brown
- 116 Edmond Bollette
- 117 Gilbert Billiard
- 118 Claud Chambouillon
- 119 Eugene Dumey
- 120 M. Antonia Campdoras
- 121 William F. Johnston
- 122 James Pierce
- 123 Orlando Moffatt
- 124 Hy. Griffin
- 125 James Goodrich
- 126 Hy. Hanson
- 127 David P. Leonard
- 128 Jos. N. Fogg
- 129 W. Y. Roberts
- 130 A. J. Acklin
- 131 Joseph Morton
- 132 A. J. Kelley
- 133 Samuel Updegraff
- 134 William Jones
- 135 Jesse B. Ramsey
- 136 William Riley
- 137 Theodore Porter
- 138 Burnet Foyle
- 139 Merril Thulkeid
- 140 Solomon G. Riffe
- 141 George S. Ramsey
- 142 George W. Gilmore

143 Thomas B. Bush
 144 A. Brower
 145 W. H. Frost
 146 Caleb Aubram

147 M. C. Dickey
 148 George F. Boyd
 149 Osborn Naylor

Amos G. Adams and John Ritchey sworn according to the printed form, as in first election district, (1st election,) before Daniel H. Horne, judge, and D. H. Horne before A. G. Adams, judge.

SEVENTH DISTRICT.

Tally of votes cast for councilman for the third council district of the Territory of Kansas in the seventh election district, May 22, 1855:

Jesse D. Wood.....	66 votes.
Charles H. Worthington.....	8 "
C. H. Worthington.....	2 "
Jesse B. Wood.....	2 "
C. H. Witherington.....	1 "

We certify that the foregoing tally-list is correct, and that Jesse D. Wood received sixty-six votes, Charles H. Worthington received eight votes, C. H. Worthington received two votes, and C. H. Witherington received one vote, for the office of councilman in the third council district in the seventh election district, the whole number of votes cast being seventy-nine.

Dated May 22, 1855.

JOSEPH MCINTYRE,
 HENRY HARVEY,
 JOSEPH McDONALD,
Judges of the Election.

ISAAC D. EAND,
 GEORGE M. HARVEY,
Clerks.

We, the undersigned, judges of an election held on the 22d day of May, A. D. 1855, at the house of Isaac B. Titus, in the seventh election district, for the election of members of council and of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths or affirmations as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, viz:

JOSEPH MCINTYRE,
 HENRY HARVEY,
 JOSEPH McDONALD,
Judges of Election.

1 Joseph Brown
 2 Marcus H. Rose
 3 Ethel Strier
 4 Samuel Scott

5 Wm. Lord
 6 David Condit
 7 Marcus C. Rose
 8 Lucian Fish

9 Thomas Russell	45 Abel Polly
10 Alex. Millison	46 Absalom Hover
11 Jas. J. Miller	47 David Hoover
12 Johnson McIntyre	48 James Bostrel
13 John W. Frul	49 John R. Cazier
14 Isaac Chatham	50 John W. Akin
15 Hy. Hardy	51 Hy. Stanley
16 Isaac D. Earle	52 Josiah Stanley
17 Edward C. Johnson	53 Wm. A. Kerr
18 Geo. M. Harvey	54 De Witt Wright
19 Darius W. Harold	55 Geo. Bralton
20 Thos. Crabtree	56 John C. Gould
21 Wm. J. Tillinghast	57 James H. Young
22 Hy. Williams	58 Wm. A. Smith
23 Jos. McIntyre	59 Fred'k Serini
24 Fred. C. Upton	60 Wm. Howard
25 Jos. McDonald	61 Hy. Smith
26 John Smith	62 John D. Schimmore
27 Isaac B. Titus	63 Chas. H. Linkenangen
28 Warren N. Haven	64 Wm. M. Harris
29 Alphonso Prentiss	65 Chas. W. Fish
30 Jas. R. Stewart	66 Edmund Fish
31 Ami Smith	67 Solomon Wyatt
32 Joseph McKenn	68 Lewis Wyatt
33 Sam'l A. Allison	69 Eli C. Maxwell
34 John Drein	70 Hy. Morrill
35 Lovredge S. Axtell	71 Victory McDonald
36 Sam'l B. Hardy	72 John G. Morrill
37 Geo. S. Young	73 Picking T. Cook
38 Wm. Graham	74 Wm. Stuart
39 John Miller	75 Henry Epinon, (sworn.)
40 Thos. Armour	76 Henry Martin, (sworn.)
41 Stephen D. Smith	77 Rob't Smith
42 Hiram Graham	78 Thos. Black
43 Elijah A. Bunker	79 Emery P. Lockhart
44 Oliver Phillips	

ISAAC D. EAND,
GEO. M. HARVEY,
Clerks.

Joseph McIntyre, Henry Harvey, and Joseph McDonald sworn according to the printed form, as in first district, (1st election,) before Marcus H. Rose, justice of the peace, as judges of the election.

EIGHTH DISTRICT.

We, the undersigned, judges of an election held on the 22d day of May, A. D. 1855, at the house of the Council Grove Mission, in the eighth election district, for the election of a member of council for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled, by lawful resident voters, at said election, viz:

Charles H. Washington has received.....33 votes.

THOMAS J. ADDIS.
THOMAS S. HUFFAKER.
J. W. RATLIFF.

List of voters.

1 John B. Addis	18 James Connell
2 N. D. Trimble	19 Lawrence Bradley
3 J. A. Dunegar	20 John Connell
4 T. J. Addis, jr.	21 A. Crowley
5 S. W. Rowe	22 G. M. Suncock
6 William Delaney	23 T. R. Furbay
7 George McJulead	24 T. S. Hamilton
9 Joseph Hearn	25 C. Columbia
10 E. M. Sewell	26 John Goodale
11 A. T. Hyder	27 C. F. Parish
12 F. F. Hoffaker	28 Robert Gillespie
13 T. J. Addis, sr.	29 Thomas W. White
14 J. W. Bolleff	30 John Kelley
15 A. J. Baker	31 C. T. Gillman
16 Morgan Delacy	32 Henry Parish
17 H. T. Halmun	33 A. G. Hyden

Thomas S. Huffaker, John W. Ratliff, and Thomas J. Addis, sworn according to the printed form, as in first district, (first election,) before J. L. Baker, justice of the peace, as judges of the election.

SIXTEENTH DISTRICT.

Messrs. James Lyle, Adam Fisher, and Matt. France, severally took and subscribed to the oath of office, as judges of the election held on the 22d day of May, 1855, at the house of G. Luzadder, in the sixteenth election district of the Territory of Kansas, according to the printed form.

We, the undersigned, judges of an election held on the 22d day of May, A. D. 1855, at the house of George Luzadder, in the sixteenth election district, for the election of the house of representatives for the Territory of Kansas, do hereby certify, upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election, by lawful resident voters, viz:

W. G. Mathias.....	558
A. Payne.....	560
H. D. McMeekin.....	561
James K. Edsall.....	140
J. E. Gould.....	139
H. L. Pennock.....	141

JAMES M. LYLE.
ADAM FISHER.
MATT. FRANCE.

Poll-list of an election held at Leavenworth May 22, 1855, for three representatives to the Territorial legislature of Kansas Territory.

1 Asa Smith	62 L. F. Hollingsworth
2 M. T. Quarrells	63 M. Pemberton
3 Robert Tate	64 G. C. Cockrell
4 James Walker	65 William H. Adams
5 Thomas Turner	66 Joseph M. Crestman
6 Thomas C. Bishop	67 D. J. Johnson
7 Jefferson Park	68 Henry E. McCee
8 E. R. Hamer	69 J. C. Green
9 John Cain	70 George Quimby
10 Jacob Houk	71 William L. Murphy
11 William Furnish	72 F. M. Mason
12 Robert White	73 J. W. Jones
13 Daniel Cairy	74 E. K. Stephens
14 Jeremiah Cockner	75 W. D. Clardy
15 John Swinney	76 Thos. C. Hughes
16 R. T. Darnell	77 Charles T. Crawford
17 Jesse Hodges	78 Bluford Adkins
18 Jackson Miller	79 Peter Dupy
19 Archelus Hughes	80 G. M. Smith
20 Samuel Wineton	81 William T. Marvin
21 Joseph Settle	82 John C. Posey
22 Daniel Stewart	83 L. D. Pitcher
23 William B. Almon	84 Edmund G. Curd
24 F. Marshal	85 James M. Norton
25 John Rice	86 William H. Starks
26 Robert Cain	87 William G. Bonnell
27 William B. Cain	88 William G. B. Rainy
28 John English	89 Jacob McMendora
29 William Highter	90 William D. Bull
30 Moses Miner	91 H. F. Rogers
31 C. C. Brown	92 Charles Venible
32 Nicholas R. Green	93 Thos. Bishop
33 J. Hollingworth	94 G. R. Bedman
34 J. Sidner	95 John E. Bird
35 E. D. Nelly	96 Floyd Shannon
36 L. W. Barnard	97 Ervin Timberlick
37 James L. McAleer	98 James Pierce
38 H. Clark	99 B. C. Vivion
39 J. Mitchell	100 J. C. Hughes
40 Josiah Brown	101 James Saire
41 V. C. Hollingsworth	102 Daniel P. Lewis
42 John A. Thompson	103 Francis Brown
43 William Lewis	104 John H. McBride
44 L. R. Hoy	105 William F. Mahn
45 William Toltston	106 Carrington Harrison
46 William Nash	107 G. F. Warren
47 J. G. Hayden	108 C. F. Brede
48 Thomas C. Ball	109 L. J. Eastin
49 J. Cockrell	110 James Davis
50 Straher Hoy	111 Charles Bennett
51 T. H. Starnes	112 Benjamin Jennings
52 S. M. Gorden	113 Joe T. Moore
53 Barnabas Gable	114 John Tumblin
54 L. H. Whittaker	115 John W. Barler
55 William Stergis	116 Christopher Gisler
56 M. H. Winston	117 C. J. Rager
57 Ely Moore	118 Aaron Foster
58 Jesse Miller	119 Abt. Title
59 William H. Brown	120 B. J. Murphy
60 John S. Dawson	121 Phillip Frederick
61 John Wallace	122 Alexander Russell

123	Chestley Brasfield	189	Aaron Grovin
124	G. Donis	190	Wm. M. Line
125	James Hinson	191	G. H. Folsom
126	William Tanner	192	C. Shendollar
127	J. R. Elball	193	J. K. Miller
128	F. A. Hart	194	James S. Taylor
129	M. J. Emmitt	195	John McCoron
130	G. Hownath	196	Joel Moore
131	A. Gates	197	Isaac Vanveceton
132	Asa Stewart	198	Elbert O. Waller
133	George A. Morris	199	G. A. Shields
134	L. Shepherd	200	M. C. Park
135	J. S. Townsend	201	John Alexander
136	T. Henden	202	Joseph Todd
137	Ralph Hast	203	John J. Fulton
138	John Vernemon	204	Thos. Stewart
139	Adam Lenhart	205	Thos. R. Short
140	James Frost	206	David R. Burton
141	G. C. Smith	207	John Currens
142	William Biker	208	Wm. C. Berry
143	Wm. Locklin	209	Wm. Connan
144	R. T. Luce	210	Wm. Powers
145	Lewis Johnson	211	Henry Delphkey
146	John J. Luce	212	Nehemiah Sage
147	W. S. Blair	213	A. S. Downey
148	James H. Hendley	214	Samuel F. Few
149	W. K. Brien	215	A. H. Scott
150	Wm. Butler	216	Charles Hendley
151	Amos Reese	217	Wm. Baldwin
152	Jeremiah Johnson	218	Simpson Park
153	Z. M. Offutt	219	Jackson Dearing
154	Geo. Walker	220	Wm. Redman
155	William Wallace	221	Wm. McGee
156	W. W. Runnells	222	John S. Skinner
157	R. F. Dunkin	223	David Dodge
158	C. K. Carter	224	David Brown
159	Henry Howe	225	John S. Nubold
160	J. M. Alexander	226	Leander Ker
161	Simon Scruggs	227	H. H. Johnson
162	John F. Grant	228	Bailey Marmas
163	F. B. Mitchell	229	John Scott
164	James McGarvin	230	S. R. Pankake
165	Samuel Phillips	231	James M. Davis
166	John J. Moore	232	David Brasfield
167	James Wallace	233	Thomas Reed
168	Granville Atkins	234	W. W. Corane
169	Joel Hiatt	235	Simon Brown
170	Finley Furgurson	236	J. Wescott
171	Frederick Emory	237	J. Mulendore
172	James Bruce	238	James Hickey
173	Wm. Bevin	239	Travis Brown
174	Lewis Carter	240	John L. Webster
175	M. D. Short	241	John McNevin
176	Miles Shannon	242	Hugh McGorone
177	G. D. Todd	243	Wm. Brunner
178	Wm. Craig	244	Wesley S. Davidson
179	F. S. Ottaberry	245	J. D. Pennchacker
180	Lewis Walter	246	Wm. G. Mathias
181	J. W. Todd	247	Benj. F. Simmons
182	Weston Pierce	248	John J. Kerr
183	L. W. Holdred	249	David S. Erwin
184	M. H. Comstock	250	James Adams
185	Marion Todd	251	J. E. McMuller
186	Joseph R. Lockey	252	J. E. Grant
187	F. E. Barre	253	Adam Hinbook
188	John Olvis	254	Wm. Right

255 Frank Lumner	322 Wm. Guess
256 Michael Rely	323 Madison West
257 David Z. Smith	324 Sanford Fenney
258 Peter Keltzcker	325 Alfred Williams
259 W. Christenson	326 A. T. Pattle
260 B. L. Sellus	327 Samuel H. Burgess
261 R. E. Saunders	328 R. E. Stallard
262 L. P. Styles	329 David Scott
263 F. M. Johnson	330 Patrick Kafinall
264 Joshua Eahum	331 Robert Garvey
265 James Pratt	332 Porter Fleming
266 Thomas F. Hustin	333 Moses Foss
267 D. L. Cooper	334 John Stouffer
268 Thos. E. Miller	335 R. Lean
269 C. M. Burgess	336 R. Covington
270 Alexander Baker	337 Albert Burgess
271 Wm. Hippel	338 John Davidson
272 R. S. Watkins	339 Francis Sutton
273 A. Dean	340 Peck A. Chaplre
274 A. W. Hughes	341 Joel Lediken
275 Wm. Large	342 James Tate
276 H. Carpenter	343 Edwin Ross
277 Isaac House	344 John Wilson
278 Wm. G. Sharp	345 James Henderson
279 Houston Long	346 Hood Craven
280 James Rich	347 Thos. McGruder
281 A. Mc'aulley	348 Wm. Camron
282 Wm. Rywaters	349 Wm. Toltston
283 T. G. Cockrier	350 James Quinn
284 Oscar Rywaters	351 J. P. Dunham
285 E. D. Bishop	352 C. C. Harrison
286 Wm. H. Elliott	353 A. G. Street
287 John Thomas	354 Thomas Scott
288 Henry W. Sisby	355 Peter Yeanev
289 Richard Thomas	356 Ed. P. Durean
290 John Vardiman	357 Joseph Dawson
291 A. T. Scott	358 F. A. Roberts
292 Henry Embry	359 James Thompson
294 M. P. Reiby	360 Hugh Swaney
295 D. Snell	361 Perry Collins
296 James Brooks	362 Frederick Webber
297 Wm. A. McDowell	363 C. H. Allen
298 Thomas Smith	364 Joel Lamb
299 Wm. O. Webster	365 Thomas Stearnes
300 Samuel Gilbert	366 David Bevins
301 Dennis O'Keef	367 Wm. Groom
302 E. T. Better	368 Henry C. Briskey
303 H. C. Watson	369 Ezekiel Downing
304 Jos. Simpson	370 Thompson Mullins
305 Robert S. Jones	371 John C. Downing
306 Joe Hooper	372 Carvin Norville
307 Thos. Moore	373 James Bureant
308 H. D. McKekin	374 C. L. Borze
309 James Siretti	375 Martin A. Rorix
310 W. L. Camell	376 Milton Stanley
311 Geo. W. Sharp	377 Thomas Hickman
312 John Tumberick	378 Isaac Hoover
313 John Manning	379 Thomas Gamble
314 W. T. Perry	380 Wm. Casell
315 P. W. Roberts	381 W. W. Williams
316 John Moore	382 Charles Starnes
317 Richard Kitchen	383 Wm. Zebrioka
318 J. Sash	384 K. C. Earl
319 B. Willerspoon	385 Nathaniel Henderson
320 Wm. Alexander	386 T. S. Lake
321 John Harden	387 H. C. Bishop

388 Wm. Sharp	454 James McMekan
389 George Graham	455 John M. Danall
390 Jos. Humphries	456 Morgan Wright
391 John Bray	457 W. M. Venable
392 C. Neff	458 J. Dunham
393 E. Inshan	459 N. B. Sharp
394 Frank Walker	460 B. Jerry
395 James Mettoun	Isaac Williamson
396 John Boyd	461 D. B. Cradock
397 Orvis Kessler	462 G. E. Bishop
398 Joseph Greenwell	463 James Maur
399 Wm. White	464 James Beding
400 James Patton	465 David Creek
401 James Nevin	466 A. S. Parker
402 Daniel Heath	467 R. S. Merchant
403 Beason Wilcocks	468 Robt. Todd
404 Samuel Paine	469 Lewis J. Moore
405 Henry Smith	470 L. B. Simmons
406 George Williams	471 John Reed
407 L. F. Mills	472 Robt. M. Shearer
408 L. H. Dodson	473 Samuel Hall
409 James Finley	474 Williana Cougher
410 R. S. Martin	475 E. C. Nallor
411 James Weaver	476 James McDaniel
412 John Berles	477 John C. Gist
413 Wm. Gist	478 James Higgins
414 Jos. Thompson	479 W. Lane
415 J. W. Wheeler	480 J. M. Hickson
416 Laranee Barrester	481 Thomas Faulkner
417 William Hawkins	482 Robt. Offut
418 Ed. Mellain	483 Jonathan Kelley
419 John Rickner	484 W. J. Green
420 Wm. J. Norris	485 Siras Austin
421 Washington Hays	486 E. M. Koffee
422 Ed. O. Reiley	487 B. Colton
423 Joseph Pennoek	488 Charles Bee
424 J. W. H. Gohlin	489 Thos. Morgan
425 Thomas O'Reiley	490 Reuben Lenton
426 Paul Dowland	491 J. J. Hope
427 Wm. H. Long	492 Samuel M. Lyon
428 Beverly Bick	493 Wm. Morgan
429 Alexander Reed	494 A. J. Bishop
430 John Stone	495 Benj. Tolson
431 Henry Bill	496 Albro Pemberton
432 Perry Harrison	497 Thomas Flanery
433 John Smith	498 Josiah Comptons
434 Solomon Buxton	500 C. J. Wilkison
435 A. C. Martin	501 Isaac Baker
436 Isaac Deeler	502 John Burris
437 Wm. Clark	503 J. W. Comstock
438 Peter Black	504 John Boyd
439 C. W. Hamberroy	505 Thos. Gregg
440 Hugh Archer	506 W. A. Lash
441 T. J. Harper	507 F. M. Lowe
442 J. P. Russell	508 D. H. Glover
443 Nathan Campbell	509 Tibbs Parker
444 J. V. Chance	510 Wm. Phillepron
445 W. S. Biker	511 A. W. McDonnell
446 Geo. Culage	512 Chas. McDonnell
447 C. Sidler	513 H. M. Hook
448 Wm. Corinith	514 J. E. Gould
449 John Critchfield	515 Isaac Henderson
450 John F. Wilcocks	516 Christian Beck
451 N. D. Brooks	517 Joseph Thomas
452 James Dorall	518 W. Falkner
453 James Lamb	519 Solomon Bishop

520 A. C. Quinn	586 Samuel France
521 G. W. Hollis	587 Thomas Irvin
522 Suris Vex	588 Nicholas Lockeman
523 Jacob Reiden	589 John Beasley
524 Joseph Wial	590 R. E. Dugan
525 Martin Sutler	591 H. C. Gardner
526 Davis Pe Be Thorum	592 Harrison Collins
527 H. Kendall	593 Daniel Wilson
528 John Leach	594 James Ferguson
529 James Benfro	595 John J. Bentz
530 George Shuer	596 Charles Johnson
531 W. T. Barbe	597 Frank Robinson
532 E. C. Cockrill	598 E. S. Berthoud
533 H. C. Bradley	599 Robert Manegfee
534 Wm. W. Walker	600 John Maloney
535 George Russell	601 Wm. P. Shockery
536 Adam Delta	602 George Barbaker
537 P. W. Cowell	603 John Johnson
538 Theo. Gash	604 R. G. Baber
539 J. W. Ford	605 N. S. Prentiss
540 Thomas Johnson	606 J. H. Day
541 Isaac Russell	607 Wm. Beckum
542 Cooper Stuck	608 Daniel Comstock
543 J. Richardson	609 William Pennock
544 E. C. Boye	610 John A. Lindsay
545 James F. Warden	611 R. E. Rees
546 John B. Moore	612 C. H. Pennock
547 John Hancock	613 John Farry
548 Levin N. Lewis	614 George B. White
549 James G. Heck	615 William Englishman
550 W. S. Vowey	616 Mason Hoard
551 Grigley B. Metzkar	617 M. C. Early
552 U. T. Shipp	618 R. H. Pheland
553 John A. Sawyer	619 B. F. Barnard
554 A. T. Homer	620 Samuel Dawson
555 W. H. Fulkison	621 James Davidson
556 Robt. Downs	622 Lewis Sheller
557 Frank Sterling	623 F. Englishman
558 P. A. Mourer	624 L. M. Burchenow
559 Wm. George	625 J. Quinn
560 Alexander Mann	626 J. F. Wiat
561 John Clint	627 R. B. Roberts
562 Marion Henderson	628 Daniel C. Ames
563 A. G. Reed	629 Wm. Berchnell
564 Samuel Brown	630 H. B. Herndall
565 J. C. R. Howell	631 W. H. Clark
566 May Berton	632 James Kirkpatrick
567 William Beevins	633 John Keefer
568 Augustus Storn	634 Henry Blickner
569 John Fuss	635 Riley Blevins
570 Samuel Griffith	636 F. M. Bell
571 Wm. McGiffin	637 James Cooper
572 Patrick Woods	638 Thomas Bay
573 C. G. Hicock	639 George M. Myers
574 Andrew Edlington	640 George W. Luzetta
575 Charles Dixon	641 B. M. Crust
576 Augustus Nicholas	642 John Lawson
577 S. R. Offert	643 L. P. Pathy
578 John Hornan	644 David Henderson
579 J. B. Penrick	645 Dennis O'Sullivan
580 James P. Salsberry	646 J. N. Bradley
581 J. C. Stallard	647 H. Reves Polland
582 H. S. Pennock	648 Joel Pennington
583 John Wien	649 M. H. Walker
584 Levi Mitchell	650 John Dailey
585 T. J. Absdure	651 Joseph Goodin

652 Lewis N. Rees	684 W. H. Bell
653 James Thomas	685 Henry Kitchen
654 Jacob Haynes	686 John Allen
655 Wm. Fracker	687 A. Payne
656 Wm. Saunders	688 W. G. Smith
657 Thomas Ruble	689 Jeremiah Rice
658 W. H. Goodwin	690 W. Phillips
659 H. C. Fields	691 W. F. Dodd
660 George Scott	692 J. Phillips
661 J. Hampton	693 L. B. Snow
662 Benjamin Morton	694 Frederick Sprigg
663 Morgan Kay	695 R. Shadd
664 Wm. Wilkinson	696 J. Krue
665 L. E. Angle	697 J. H. Stovall
666 James P. Downey	698 H. Rich
667 Henry Brown	699 D. W. Scott
668 John M. Lockney	700 James Rickens
669 Miles B. Lockmaney	701 J. M. Lyle
670 E. W. Trowbridge	702 M. France
671 J. P. Errickson	703 A. Fisher
672 R. James H. Brown	704 J. G. Rleson
673 M. B. Tompkins	705 D. S. Boyle
674 George Stevenson	706 James Pitts
675 Feeling Bevinis	707 Joseph Pitts
676 W. T. Nicholson	708 Pete Burns
677 J. Critchfield	709 F. Seybolt
678 E. M. Lyon	710 H. Godshu
679 T. W. Davis	711 S. Walden
680 George Cresman	712 E. M. Rankin
681 J. W. Renick	713 Adam Kuier
682 George Lenard	714 W. E. Rutter
683 J. L. McAlee	715 G. H. Underwood.

ELECTION OF OCTOBER 1, 1855.

ROBERT MORROW called and sworn.

Examined by Mr. Reeder:

I reside in this district. I was in Kansas City on the 1st of October last, and started with a load of goods. I was at Westport probably about 9 o'clock in the morning, where I saw a good many persons coming this way and getting ready to come. I was passed, I should think, by forty or fifty people within the next six or eight miles. As far as I could see, these people who passed me all stopped at a place called Gum Springs, or the Council House, a place from six to eight miles from Westport. I was probably a couple of hours driving from Westport to that place. After passing by Gum Springs, coming this way, I do not think anybody passed me during the day. There was a crowd of about one hundred, I should think, about 11 o'clock, around the place where they were voting at Gum Springs, and as many horses hitched to the fence. I did not know any of these persons. They travelled principally in buggies and on horses and mules. When they were on horses they generally travelled three or four in company. This place of election was on the Shawnee reserve, but I do not know in what county. Upon looking at the map I find that it was in Johnson county.

By Mr. Woodson:

Westport is some two or three miles from the Kansas line, but I do not know particularly how far. The people of the Territory about Gum Springs I should think did their trading at Westport or Kansas City. I have been at Westport but two or three times.

By Mr. Reeder:

I do not know of any white people about Gum Springs. The population is principally Shawnee Indians. I have understood that white men are not allowed to settle there.

By Mr. Woodson:

All the white settlers that I know of are about the Mission houses.

ROBERT MORROW.

LAWRENCE, K. T., *April* 30, 1856.

ANDREW WHITE recalled.

Examined by Mr. Reeder:

I was at the election at Willow Springs on the first of last October. I saw the voting going on there. I am not so well acquainted with that district as I am with my own. I do not think there was much

voting by the citizens. Many of the citizens who were pro-slavery men would not vote, as they did not like the arrangements. But those who came from Missouri paid their dollar and voted pretty freely. Some of them told me they were from Missouri, that they lived there then. They came up in companies of three, four, five, and perhaps a dozen together. I would walk away to them and inquire what part of Missouri they lived in, and they would tell me. While I was there I think there were at least fifty who lived in Missouri who voted. I came away in the evening before the voting was done.

By Mr. Woodson:

My information was from these men in conversation, but I did not see any there I knew. Most every company that came up I would inquire of two or three, and they would tell me they were from Missouri.

ANDREW ^{his} X WHITE.
mark.

LAWRENCE, K. T., *April* 28, 1856.

THOMAS WOLVERTON called and sworn.

Examined by Mr. Reeder:

I came into the Territory 11th of April, 1855, from Ohio. I settled in the second district, near Bloomington. I was from Preble county, Ohio. I was at the election at Willow Springs on the 1st of October last and I saw persons voting there; I saw men voting there that told me themselves they came from Missouri. I mixed up with them and asked them where they lived; they came there generally on horseback; there were two or three wagons. I conversed with some of them; I was a stranger there myself, and no person knew me. I was presented with a ticket soon after I got there; I told them it was all right; I doubled it up in my hand and kept it for a free pass; it served me as such. I saw persons coming up and asked them where they were from: some told me they were from Missouri, and some told me it was none of my business. I stayed until afternoon, until 2 o'clock, and they were getting rather drunk and could not stay longer peaceably. One gentleman told me he came from Missouri and camped at Bull creek; that he came very near freezing, and swore that it was the last time he was going to come. Several others told me they were from Missouri. The one who told me he camped on Bull creek I believe did not tell me how many there were with him; he did not say who camped there, nor how many; he said that they had come to vote; that he had come to vote on the 30th March, and that this was his second trip. I cannot tell whether the men who gave the number of the party were of it or not; one of them told me he lived in Missouri; the other did not tell me where he lived; I saw the first one, just after he got off his horse, in a store; he said he came to vote to make Kansas a slave State and to elect Mr. Whitfield. He said there were 40 in the party.

By Mr. Woodson :

I was a stranger in the district ; I saw the voting, but no obstructions to the voting. Gen. Whitfield was a candidate ; the only one on that day that I know of.

THOMAS WOLVERTON.

LAWRENCE, K. T., *April 30, 1856.*

GAUS JENKINS recalled.

Examined by Mr. Reeder :

I left Kansas city on the morning of the day of the election last fall, and started to come up to this place past Gunn Springs. The election was held under the authority of the legislature for congressional delegate. Before leaving Kansas city I was asked by Mr. Milton McGee to go over to Wyandott and vote ; I said I had no right to vote as I was then a resident of Kansas city. I met very many between Kansas city and Westport shouting hurrah for Whitfield, and going towards Kansas city. After leaving Westport and coming this way, (it was then afternoon I should think,) I met some 150 between there and Shawnee meeting house, returning from the polls at the meeting house. Some were just coming from the polls. I do not recollect any of their names. At the time I recognized some as citizens of Jackson county, Missouri ; chiefly citizens of that county. After that I met no more after leaving Shawnee meeting house. The polls for Johnson county were held at Gunn Spring or Shawnee meeting-house, as it was called. Milton McGee lived about a mile from Kansas city, on the Westport road. Towards Kansas city was the usual route from Westport to Wyandott.

By Mr. Woodson :

I do not now recollect the names of any one I met there. I was not present at the election, and saw no one vote. I do not know of any one in Kansas city to go into the Territory to vote for Governor Reeder. I did not vote for Governor Reeder.

GAUS JENKINS.

LAWRENCE, K. T., *April 28, 1856.*

LEWIS W. COX called and sworn.

Examined by Mr. Reeder :

I first came to the Territory in 1849. I have lived in different parts of the Territory. I came into this district last October. I removed from the Pottawatomie country, where I had been living, to Parkville, Missouri, and removed from there to this place. I came into the Territory in 1849, from Ohio. I left Kansas City a day or two previous to the last October election, on my way to the Pottawat-

onie payment. I came up through Franklin and this place on the day of the election. I saw a crowd both at Franklin and this place, at the polls, as I passed through the places. There were five of us who came up; we were all going to the Pottawatomie payment. Some persons passed us on the road whom I saw in Franklin, and returning. I should suppose there were as many as a dozen passed us on the road as we were coming up. We stopped and fed our mules on the Wakarusa, and, while we were there, there was one wagon and five or six men on horseback came up to the Wakarusa and stopped and fed within twenty yards of where we were. We came in through Franklin. I do not recollect any one, that I could name, any one I saw in Franklin, that had passed us on the way. I know some two or three that passed us. There was a Mr. Simpson, who lived in Westport. I do not know as I could name any one else there. There were two or three whom I had frequently seen in Westport. The party at the Wakarusa were those that passed us coming up. There was not a word spoken between us in regard to the election. We made a halt of about five minutes in Franklin. I merely stopped and spoke to a friend of mine there. I came right on to this place, and stopped here a half an hour or perhaps longer. We passed no other polls that day.

L. W. COX.

LAWRENCE, K. T., *April 30, 1856.*

L. A. PRATHER called and sworn.

Examined by Mr. Reeder:

I got to the town of Franklin, near where I now live, in July, 1855. I came there from Missouri, but am a Virginian by birth.

I was below Independence, Missouri, in September last, and a short distance below there. There was a body of men overtook me, of whom I asked, where they were going, and their object. Different persons of them told me they were going to Kansas to vote, and that they were from Saline county, Missouri. I passed them at Independence, and when they overtook me at Westport, I found that their number had considerably increased. We came on together, and I camped with them one night. I know that a portion at least voted, from the fact that I stood as near the polls in Franklin as I could, and saw and heard them vote. I saw some of them afterwards in Missouri, and know that they were the same men, and they told me they lived in Missouri; one of them in Independence. Before we got to Westport, or when I first got there, I saw a hemp stalk sticking up in the rear end of one of the wagons, and I asked them what it meant, and they said it was to hang the abolitionists with. I also saw a hemp rope hanging to the side of one of the wagons on a forked stick standing up. On a short conversation with a gentleman, who told me his name was Robert Grant, and whom I heard called "Bob," generally, when he discovered, from my conversation, that I was so much opposed to their coming here to vote, he told me I would be the

first person rewarded with that rope; that I would be hung up if I did not look sharp. That was about a half a mile below Independence. They claimed the right to vote, and that was claimed generally, and I was obliged to concede it to them, under a law of what we call the Shawnee Mission legislature, of being allowed to vote by paying a dollar a head. I put the question distinctly to different persons of that party: Do you claim to vote as residents of the Territory? And they said, no. We claim a right to vote under that law.

There were about sixty of them, they said. I could not make any better estimate of their number than they gave me. I supposed there were about sixty of them.

One of them, when I was expostulating with them about their voting here, used these words, "We have a claim in the Territory." One of them remarked, "Jim, what is the use of telling that damned lie; we are doing just as we did the 30th of March, at the last election."

In conversation with them in reference to their threats of violence against Lawrence, they said it was their determination to whip the men, tear down the damned town, and slide it into the river. They asked me at different times why it was that the abolition party, as they termed it, was not going to vote on the 1st of October. I stated that my understanding of the thing was, that we heard there was to be an invasion from Missouri, in which the free State party was to be driven from the polls, and it was done to avoid a fight. That was one reason. Another reason was, that they were opposed to the law under which the election was held. The question was asked me what we expected to gain. I answered that I thought the free State party expected to elect, on the 9th, Governor Reeder delegate to Congress. The same Robert Grant, and two others, said, "God damn Governor Reeder; he will not be alive that day." Robert Grant stated that he would shoot him whenever he could be pointed out to him. When I asked him if he would not feel bad in killing other men, in killing Governor Reeder, he said, "No; that the more abolitionists he could kill at a fire the better." The party in general also expressed a great deal of vindictiveness against Colonel Lane, and threatened his life also. They asked me if I was going to vote on the first of the month; and when I answered them "No," they told me I was worse than any of the abolitionists, for I was a damned southern traitor. There was a great deal more violent language of the same tenor. They threatened me tolerably well until I told them I was going to vote for neither General Whitfield or Governor Reeder, as I was opposed to them both.

On Monday, when the polls were opened, by some means, I was called upon by a body of people to act as a judge of election. I refused to serve, in consequence of my opposition to the law, and of these men from Missouri being there to vote. The Missouri men threatened me some, but the residents of the Territory more, for refusing to serve, and treated me pretty roughly, Mr. Whitlock particularly. That was the same Mr. Whitlock, I had understood, had been a member of the legislature. He did not use any very violent gestures, but he was very angry.

When the election was going on, I placed myself in as convenient a place as I could, though I had to move frequently during the day, and, with a pencil, tried to mark down, as near as I could, the number of votes polled, both by the Missourians and the people of the Territory. According to the estimate I made, which was only an approximation, I made sixty-three foreign voters, and, if my memory serves me right, from twelve to fifteen that I knew to be resident voters. I would know the names of very few non-resident voters.

Some of those who came up with me did not go to Franklin. One who passed me on the road, who told me he was Mr. Stonestreet, from below Independence, said he was going to Leecompton to vote.

The election, so far as order was concerned, was as orderly as elections generally are. I saw no disorder there until after the polls were closed.

By Mr. Woodson :

General Whitfield was the only candidate I heard of on that day. Governor Reeder was not mentioned as a candidate there. I understood Governor Reeder to be a candidate for delegate to Congress, but to be voted for on the 9th of the same month.

By Mr. Sherman :

The voting was intended to be *à viva voce*, though the name was written on the ticket for the purpose of joggling the memory only, as we had it in Missouri.

By Mr. Reeder :

Robert Grant told me he lived in Saline county, Missouri.

L. A. PRATHER.

LAWRENCE, K. T., May 1, 1856.

JOHN W. STEPHENS called and sworn.

Examined by Mr. Reeder :

I came into the Territory the 18th day of May, 1855, from Ohio, and settled in Kickapoo City. I was present at the election on the 1st day of October, 1855, and voted there. About eight or nine o'clock in the morning, a party of about twenty-five men, from Platte county, with the most of whom I was acquainted, came across the ferry, and went to the polls and voted. They were under the lead of General Benjamin F. Stringfellow and Colonel Lewis Burns. After spending some time on the streets, they went to the polls and voted. Other persons from Platte county came over during the day and voted. There was considerable tumult during the day, and some talk about not allowing any one to vote who would not vote for General Whitfield. I was not allowed to vote during the fore part of the day. Considerable difficulty was caused by a gentleman named Lawrence, from Massachusetts, attempting to vote. He was a free State man, and it was not till after some time his vote was received. I think he was allowed to vote, but I am not certain. At the time he came up

to vote, James P. Blake, a very prominent pro-slavery man in the place, asked him whom he was going to vote for. He said he would not tell them, as it was his right and privilege to vote for whom he pleased. Some difficulty arose, but was prevented from resulting seriously by some others who were present. There were threats made that we should not be allowed to vote for Governor Reeder, as no damned abolitionist should be allowed in town.

The following are the names of the legal voters of the district I find upon the poll list :

Joseph M. Hall,	John Freeland,
Charles B. Norris,	S. F. Rhea,
Washington T. Woods,	Curtis Huffman,
H. P. C. Harris,	Thomas Degarmon,
A. G. Boyd,	John G. Williams,
William Hobbs,	S. W. Tannell,
A. M. Price,	D. A. N. Grover,
Charles Sexton,	C. B. Hodges,
James Beagh,	C. H. Grover,
William Braham,	Jonah Widdle,
William G. Sharp,	James P. Blake,
E. M. McCowers,	A. J. Snider,
James T. Musgrave,	John M. Lochman,
Simon Hackett,	Peter Montgomery,
H. A. Dawson,	Benjamin F. Freeland,
George W. Thompson,	D. F. Basket,
M. M. Nagle,	B. K. Jacobs,
Stephen Sale,	H. N. Harley,
Samuel Ripley,	E. S. Wilkits,
Marine Robertson,	M. P. Beny,
Isaac House,	Robert W. Thompson,
William H. Cook,	William P. Merchant,
Warren Calvert,	Willy Williams,
John H. Lewis,	John P. Thompson,
George W. Hays,	John M. Daniel,
Allen B. Hazzard,	Meiggs Hunt,
J. Stephens,	John W. Stephens,
Lewis Calvert,	James Basket,
John H. Freeland,	John H. Taylor,
J. B. Newman,	

The following are the names of those I knew to have been residents of Missouri at that time :

Jesse Conrad,	Lewis Burns,
Thomas McLean,	James A. Anderson,
William Layman,	Giles Anderson,
William Morpin,	Harry Coleman,
Alexander Ralston,	Christ. Kance,
H. C. Branch,	James M. Calvert,
S. R. Harfut,	William R. Guthrie,
P. Buchanan,	

There are others here that came over with the Missourians and voted that are not residents of the district, and are as follows:

J. A. C. Webb,	Charles Whitecarver,
John T. Elkins,	Aldrich Carver,
M. A. Owen,	R. C. Stutward,
W. B. Wilson,	J. C. Richardson,
P. Glynn,	Joseph Brooks,
Samuel M. Barrowman,	Phineas Skinner,
Samuel Hays,	Samuel Doyle,
J. R. Duncan,	Sandford Leach,
A. Boulby,	John Groff,
James G. Douglass,	Thomas Douglass.

The rest of the names I know nothing about, or cannot remember about them. I took a memorandum on the day of the election of all these matters. Mr. Skinner, mentioned here, lives on Platte river, and has a large mill there. He has never been in the Territory since that election.

By Mr. Whitfield:

I am now living at Indianola, but shall consider my residence as at Kickapoo as soon as I dare go back again. I was forced to leave Kickapoo because I dared to be a free State man. I came to Leavenworth city from Kickapoo. I have been to Port William but once, and that was when I took some papers for the free State election of members of the legislature. I was living in a house in Kickapoo. It was broken open while I was from the city. I am certain no charges were made concerning matters found in my house. I profess to know a large majority of the men in the Kickapoo district. I state, on my oath, that Lewis Burns was not living in the district at the time of that election, but was living at Weston, Missouri. He had come over into the Territory and made a claim in Salt Creek valley. His family was not brought over here at the time of the election, though they have resided for a week at a time on his claim since then. To my knowledge Lewis Burns had not lived in the district before the election. I have lived in Kickapoo since last June, until some time in January. Colonel Burns' claim is three miles from Kickapoo, and if he had been living on it I should have known it. The candidates voted for on that day were John W. Whitfield and Andrew H. Reeder. One man voted for Mr. Reeder. I did not see any man except Mr. Lawrence prevented from voting. I cannot tell whether Mr. Reeder was a candidate on that day. I know he would have been the choice of that district if they had been allowed to vote without intimidation. I will swear, before God Almighty himself, that a majority of that district are free State men.

By Mr. Reeder:

Previous to the election held by the free State executive committee on the 15th of January, 1856, I was requested by them to take with me blanks of the election returns and poll books for the different precincts in that district. I did so, and delivered them safely to some of the precincts. I came into Kickapoo on the Wednesday previous to

the election. After I had been in town some hour and a half, Messrs. S. W. Tunnell and William H. Elliott informed me that they had been appointed to find me and bring me down into town. I asked them what they wanted. They swore I was a damned abolitionist and had to answer for it. I went with them, and was examined before the self-styled committee; was released, with the distinct promise made by me that I would appear and answer all charges that might be preferred against me the following morning at nine o'clock before this committee. I did appear. The committee were composed of Mr. Tunnell, D. A. N. Grover, formerly a member of the territorial legislature and still a member of the council, John H. Shaler, and some others I do not now recollect. I was examined touching my crimes and misdemeanors for carrying round poll books and papers for the abolitionists, and, as a matter of course, pleaded not guilty. Nothing was said or done until half-past ten o'clock, when, having left the place where I was tried, I was waited on by James P. Blake and Samuel Marchant, who informed me I would have to leave town by three o'clock that afternoon, and if I did not, I would be ducked in the Missouri river. I requested time to arrange my business before I could leave, and was informed that no time could be granted; that I must finish my business by three o'clock, or leave it in the hands of some other man. I then told them I should leave when I got ready, and if they did not like that, they could put me out of town. Three o'clock came, and four o'clock passed, and I was still arranging my business, and had not left. At half-past four o'clock I was waited upon by the same committee and two other persons, and again brought up for trial. My trial was had, and the sentence of the court was, that I should be ducked in the Missouri river. Mr. Grover made a speech, and told them they were all law and order men, and he thought they had better rescind that part of the sentence and march me out of the town. Colonel Thompson, of Doniphan, advised the same. I was finally permitted to go to my boarding-house and select my clothing, and then escorted a half mile out of town, with the intimation that if I ever came back again, I should be strung up to the first tree they came across. I have been back twice since.

By Mr. Whitfield :

The election of the 15th of January was for members of the general assembly and State officers under the State constitution. The election papers I had to distribute I got at Lawrence, from the executive committee. There were no other charges against me in Kickapoo. I was not regarded as a hard case about town, and I think I left Kickapoo with as fair a character as any man in Kickapoo. I heard that this committee were sitting here, and as I was very anxious to give in my testimony here, I came down here and was subpoenaed here

JOHN W. STEPHENS.

TECUMSEH, K. T., *May 7, 1856.*

JAMES REED called and sworn.

Examined by Mr. Reeder:

I live at Washington creek, about five miles from Willow Springs. I have been living there going on two years, and came from Missouri. I am tolerably well acquainted in Willow Springs precinct. I suppose I know about half the people in that precinct.

I was at the election at Willow Springs the 1st of October, 1855, and voted there. I saw a great many people there from different parts; I saw some there from Missouri, but I did not see them vote, though I find their names on the poll book. The following persons live in Missouri: R. O. Steele, J. H. Lockridge, I think lives in Missouri, as I do not know any Lockridge in the district, though I am not certain of the given name. E. Pouge, I think, for I know a Pouge who lives in Missouri, though I did not see him on the ground. I know of no Pouge in the district. L. Steele, Wm. A. Parrish, C. L. Parrish, H. C. Parrish. I saw the Parrishes and Steeles on the ground. They live in Missouri, near Westport. I find the name of R. Flournoy on the poll book. I used to know Flournoys in Jackson county, but did not see any on the ground the day of election. I know of no Flournoy in the district. As to Wm. E. Baker, J. G. Baker, and A. Street, I do not know them if I see them. I have heard of the names of such persons in Westport keeping store for several years. I do not know of any person of that name living in our district. The following persons on the poll book I know to have been residents of the district at that time: G. W. Bryan, Joseph Bradbury, B. B. Brown, F. Brown, and T. Brown, one of them I think, for I know one person of the name of Brown in the district, though I do not know his given name: J. P. Saunders, G. W. Pool, Josiah H. Wagner, Z. Johnson, W. Cummins, I think, for I know one Cummins in the district, but not his first name; B. F. Bounds, R. R. White, I think, for there is one there, but I do not know his given name; S. L. Clark, Thomas Emery, L. Graham, Wilday McKinney, H. O. Loury, H. Owens, R. B. Matney, William Russell, L. Reed, E. B. Reed, (J. B. Davis, L. H. Davis; I know two Davises, one given name William, the other I do not know;) A. B. Collotte, James Reed, John Carroll, John M. Banks, Jona. Shepherd, Thomas Breeze, and Charles Martin, I think; N. McKinney, William Rhodes, James S. Campbell, and J. R. Campbell; Silas Sutton, J. M. Russell, Robert Carlow, John W. Bennet; E. P. Skeezer, I do not know, but I know a man of the name of Keyzer; Jared Chapman, I think; P. O'Connor, Wm. O'Connor, Milton Boone, Levi Herrin, P. N. Watts, I think, though I do not know his given name, and the same way with S. Creel, and also with Henry Kerns, and also D. Burton, and M. H. Burtin, J. Owens, John Burton, W. W. Williams, John McLaren, Charles Matney, C. W. Carey, R. W. Carey, S. Shepperd; I know a Sinchell, on Ottawa creek, but I do not know his first name. I know Wm. McKinney, F. M. Coleman, William Curry, and D. Fletcher. The rest of the names on the list I do not know.

By J. W. Whitfield:

I think I know about half in the district, but I am very little

acquainted at the Sac agency. The men over there did not vote on that day at Willow Springs, as a general thing. Those I have named are pro-slavery men, as the free State men did not vote on that day. I do not know who were the candidates that day. I heard Mr. Reeder and Mr. Whitfield spoken of, but I suppose Mr. Reeder did not run, as I think he got no votes there. There was some little drinking and firing in the evening just among themselves, but I did not hear of any being prevented from voting. They very often have a little fussing and drinking in the western country the evening of the election.

By Mr. Reeder :

Mr. Whitfield was a candidate on that day, and I think Mr. Reeder some eight days afterwards. Each had their own election. There was a gentleman came there to vote on the 1st of October, but went away without voting, as he said Mr. Reeder's name was not on the poll books.

JAMES ^{his} X REED.
_{mark.}

TETUMSER, K. T., *May 7, 1856.*

B. C. WESTFALL testifies.

I saw a great many that I knew to be residents of Missouri, at the time of election, in October, 1855, in companies of from twenty to thirty persons, coming to the Territory. I lived in Jackson county, Missouri, near the line, at that time, and was keeping a hotel there. I am pretty extensively acquainted in Jackson, Johnson, and Cass counties. I saw these persons after they returned, and they told me they had been here and voted, and some of them showed me the receipts for the one dollar tax they had paid for the privilege of voting. Some of these receipts I read. At that time I lived about twenty-five miles, I think, from the election place of Lykins county, at Baptist Peoria. The election I refer to was the first election in October last. I had conversation with a great many of those persons when they came back, and they told me they had voted and carried the day, and boasted of having intimidated the Yankees and driven them away. One of the receipts for the payment of the dollar tax that I read was one that M. Christopher Mann had. He lives in Jackson county, Missouri, about two and a half miles east of New Santa Fé, and has been a resident there for several years past. I think I did not see less than five hundred men pass at that time for the election, on the one road near me. A great many of them stopped with me, both going and coming back. When they were going out they said they were going to elect Whitfield, and when they came back they said they had elected him, and as there was but one candidate running it would have made no difference if they had not come out, as he would have been elected any way. I heard a good many of them say that they had gone up to Lecompton and voted, and a good many went to the Shawnee Methodist Mission, Johnson county, and also to Baptist

Peoria or to Pottawatomie, I am not certain which. I heard them state that a good many Indians voted at Baptiste, and they also said that some whites there, friends of the candidate, made up considerable money to pay the poll tax, as the Indians would not do it.

B. C. WESTFALL.

LAWRENCE, K. T., *May 8, 1856.*

GEORGE F. WARREN testifies.

I was at the election in Leavenworth City, October 1, 1855, when General Whitfield was voted for. There was a large company of strangers came in, armed to the teeth, from across the river in Missouri. Quite a number stopped at the Leavenworth hotel. I did not see any camp. They said they came to vote, and that they had a right to vote under the organic law, and contended that if their families did live in Missouri, they were entitled to vote as long as they were on the ground in the Territory. These men voted, and all I saw vote paid the dollar tax. I recognized some who voted that lived at Platte City. I should think that there were some 200 on the ground who voted. I should suppose some 100 residents voted, and the rest were the strangers I speak of. A great many more came than voted, after they saw the free State men did not intend to vote. I do not think it was safe for free State men to go to the polls. I was pretty well acquainted in the district, and knew most every man in it. After these strangers voted, some went down the river, and others went across to Missouri on the ferry. The free State citizens took no part in the election.

A week after this election there was another election for locating the county seat, in Leavenworth City, and as I understood, in other points in the county. The contest was between Kickapoo, Leavenworth City, and Delaware City. I was at that election in Leavenworth City. The polls were kept open until a little after dark, and wagons were employed to get the voters in. I think none but residents voted that day. The election was orderly, and no violence used that I saw.

G. F. WARREN.

LAWRENCE, K. T., *May 12, 1856.*

WILLIAM P. RICHARDSON recalled.

Examined by Mr. Whitfield :

I was at the election of October 1, 1855, held at Smithton, in the house of John W. Smith. There were some 40 or a few more who voted there, as very little interest was taken and no turn out. But few of my neighbors were there, some because some of their families were sick, and others because they did not like to pay the dollar poll tax. I saw no illegal voting that day, and I think none voted but those who complied with the law and paid their tax, for I saw the

sheriff giving receipts for it. The principal reason, doubtless, for more votes not being given, was because there was no opposition to General Whitfield. He did not get the pro-slavery vote of my neighborhood, nor of the county, as far as I know.

WM. P. RICHARDSON.

LEAVENWORTH CITY, K. T., *May 15, 1856.*

JOHN LANDIS testifies.

I was present at the election of October 1, 1855, for delegate to Congress. General Whitfield was the only candidate. The election was held in the town of Doniphan. I saw persons, not residents in the district, vote that day. Their names were B. G. Wells, Randolph Smith, William Christopher, and B. O. Driscoll. All of them resided in Missouri at that time. I had no conversation with them. Those that I saw vote I believe to be residents of the Territory, except those I have named. The one dollar tax was generally paid that day. The free State men did not vote at that election that I saw. The number of votes polled that day, as shown by the poll books, were about 66.

Cross-examined by Governor King:

The free State men were not prevented from voting that day. I reserved my vote for the election of the 9th, and, in my opinion, the other free State men did the same.

Mr. Driscoll had an improved claim in that district at that time, but did not live on it. He lived in St. Joseph, but now resides in the Territory. Christopher also had a claim in the district at that time but lived himself in Missouri. He has since sold his claim. Randolph Smith had a grocery in the town of Doniphan, in the Territory, and was keeping it at that time. At that time when he kept his grocery there, I kept the ferry and set him over to Missouri every night and morning. He lived in Missouri. He owned an unfinished dwelling-house in Doniphan, but did not live in it. He subsequently died, before his house was finished.

JOHN LANDIS.

LEAVENWORTH CITY, K. T., *May 26, 1856.*

EMERY B. COOK testifies.

I came to the Territory in March, 1854. I have resided within a mile of the Missouri line since that time, near Fort Scott. I am a mason by trade and usually worked in southeastern Missouri when I first came there. I was at Fort Scott on the day of election on the 1st of October, 1855. I went up to the polls on the day of election. On the Friday evening before the election there were a great many came in from Missouri in wagons towards Fort Scott, apparently a pretty continued travel. On the next day, Saturday, there was a public pro-

slavery dinner, free to all who favored the party. I saw a good many come in by my house on the Monday of the election on horseback from Missouri. I do not think many of them who came in wagons to the dinner returned until after election. I was at work in town at my trade and boarding at the hotel. It was very crowded. There was a camp in the bottom close by, apparently a good many there, but I cannot tell how many. I saw a great many of these strangers there on the day of election. I had no particular conversation with these strangers.

As I was going backwards and forwards on the day of election, I stopped once or twice at the polls, but I did not vote. These strangers were around the polls, some with pieces of paper in their hands. I saw them go to the window, reach their hands up and then go away, I cannot say that they really voted, but I thought they did. I thought but very few of the citizens voted, not to exceed fifty. This I thought from what I heard and saw there. There was some vexation and irritation, and some excitement among the citizens in regard to the election. I did not vote that day. I am satisfied from what I saw them do and what they told me, that about thirty I knew voted. I do not think a majority of the settlers were at the election; about one-half who were there did not vote. I should think at that time there were in the neighborhood of two hundred and fifty residents in the county of Bourbon. There was a general convention amongst us, and some concluded it would be better not to vote that day in order to prevent a riot; others were angry because both parties did not run on that day, and some contended it was an unlawful way to do business, to run one candidate one day and therefore they would not vote at all. I thought it was a rascally business all round. Some did not vote on account of the dollar tax: some paid it, and some did not pay it but got receipts, though I do not know whether they promised to pay afterwards or not. I know that some got receipts without paying the dollar tax at the time. I do not think these strangers generally paid the tax.

I have carefully examined the poll list of the election of October 1, 1855, and find in it the names of residents of the district amounting to forty-two, (42.) There are many of these whose first names I do not know or cannot recollect, but from my knowledge of them and seeing their names on the poll list I believe they are the persons. Whenever I have found a family name, and know a similar family name in the district, but did not know or remember his first name, I have included him as among the residents.

Cross-examined by Mr. Anderson:

I did not count them but believe there were two hundred strangers; about that time there were a good many moving in and the Territory was settling up, but not many around there. A great many of the strangers who were there on the day of election were those who came to attend a barbecue the Saturday previous. It rained on Saturday and there were a good many women there from the State, and there were many women there on Saturday from the Territory. I do not know about the strangers voting, except that I saw a good many of them going to the polls with papers in their hands. Two told me

they had voted, and two told me they were citizens of the Territory. At the time of election I knew some had the ague and I think some could not come for that reason, but not many. I knew the Mill Creek settlement and I believe two-thirds came from there, but I cannot say certain. There are some twenty-five or thirty voters there. There are in the Manitou settlement about thirty odd voters, of whom I don't know that any were kept away by chills. Some from there who came did not vote, and I think one-half were there at the election. Two of them told me they did not vote. These were the two largest settlements in the county. I expect a good many stayed away because there was no opposing candidate. The reasons I have given why the residents did not vote were generally given by both parties. I heard some men of the pro-slavery say it was rascally all round, and I said the same myself, as I belong to the free State party.

There was no difficulty that day, but many feared it. No threats were made that I heard. It appeared to be the desire that all parties should vote that day. I don't know a man who was refused the right to vote because he had not paid the dollar tax. I know that some of the strangers did not pay the tax, or at least at the time they got their papers. I don't know whether they paid it or not, before or after, except from what they said. I can't say for certain how many residents did not vote. I know certain that three did not vote, of whom I was one.

E. B. COOK.

LEAVENWORTH CITY, K. T., *May 21, 1856.*

HENRY S. CREEL called and sworn.

I was present at the election of the 1st of October, 1855, in Doniphan county, at Mr. Morse's tavern. I was one of the judges of election. I know of but one illegal vote at that election, and I am not certain about that. His name was Dr. Henry, and he had a claim in the Territory. I considered his vote illegal, as I thought he lived in St. Joseph's. I think all the other votes were legal. There were some sixty votes cast.

Cross-examined by Mr. Scott :

I do not know that Dr. Henry was over there with his negroes, cattle, and stock, but he told me so at the election. He lives in the Territory at this time.

H. S. CREEL.

LEAVENWORTH CITY, K. T., *May 23, 1856.*

D. W. FIELD called and sworn.

By the committee :

I reside in Doniphan county, Wayne township. I was present at the election of a delegate to Congress at Atchison, on the 1st of October, 1855. I think Eli Mason was one of the judges. I was there

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about an hour the middle of the day, from twelve to one o'clock. I saw one man vote, a resident of Missouri. His name was Davis. I saw no tax paid. Men came to vote and said they had no dollars, and were allowed to vote. The judges then told them to hand in their tickets, and they did so. I think no receipt or certificate was exhibited. I saw one minor who I supposed, from what I saw, voted that day. Some one urged him to vote, and he said he was a minor. He was told that he had a good beard on his face, and would pass. I saw him take the ticket and go up to the window, and, as I suppose, voted without challenge. I saw no receipt or certificate for the dollar tax exhibited by any one who voted that day. I returned home to the Doniphan precinct, and was there about an hour before the polls closed. I saw three votes cast by land surveyors, who I did not believe had a right to vote. One was Mr. Crane, the others I did not know.

D. W. FIELD.

LEAVENWORTH CITY, K. T., *May 26, 1856.*

JAMES LYNCH certifies.

To Governor King:

I was one of the judges of the election in the Doniphan precinct on the 1st of October, 1855, at the congressional election. I recognized all the voters as citizens. Randolph Smith was recognized by me as a citizen of Doniphan, and entitled to vote. His vote was not challenged at the polls by any one, but I heard his vote disputed afterwards. I knew him to be a citizen of Doniphan at the time, holding and owning valuable property there. Not a man of the free State party came there to vote that I know of. Every man before he voted was required to present his certificate that he had paid his dollar or county tax.

JAMES LYNCH.

LEAVENWORTH CITY, K. T., *May 26, 1856.*

JOHN HAMILTON testifies.

I first came into the Territory in 1835, but did not settle until March, 1855, in the Fort Scott district. I came there from Weston, Missouri. I was in the town of Fort Scott on the 1st of October, 1855, but did not go to the polls until late in the evening, and did not vote. I noticed on the day of election, and two or three days before, quite a number of persons whom I knew to be from Missouri, and also many strangers whom I did not know. I had no particular conversation with any of them in regard to that election. I paid no attention to this election at all, as my mind was on other matters, I having buried a son two days before.

Cross-examined by Mr. Whitfield.

General Whitfield was the only candidate on that day I know of.

Fort Scott is between four and five miles from the Missouri line. It is a very common thing to see Missourians over to Fort Scott, where there are three stores to trade, as it is the trading point along that portion of the line. They come in from Missouri to trade there; but I do not know as they come over generally on other occasions. There was a barbecue given at Fort Scott the Saturday before. The notice that I saw in regard to that dinner was, that all favorable to slavery should come. I received no invitation myself.

JOHN HAMILTON.

LEAVENWORTH CITY, K. T., May 21, 1856.

H. MILES MOORE testifies.

I was a resident of Leavenworth City at the time of the congressional election of the first Monday in October, 1855; but I was not present at that election, being absent in Lexington, Missouri, for the purpose of obtaining testimony for a case I was employed in in western Missouri. I have been told by free State men that they did not vote on that day. The following is a list of the names of persons who resided in Missouri, and who voted at Leavenworth City, in Kansas Territory, at an election held for a delegate to Congress, on the first Monday in October, 1855, as appears by copy of said poll books of said election, herewith shown to me:

Sixteenth District.

William H. Miller, W. H. Pence, J. C. Cockell, John Fanier, Abner Dean, Isaac Archer, R. F. Duncan, Samuel J. Finch, Editor of the Western Reporter, Missouri, Jeremiah Crabb, John B. Wells, C. L. Beeding, P. J. Collins, Hugh Sweeney, Nathaniel Terry, James Buckhart, R. J. Damell, George Adams, James Saunders, John Winslow, John Venamon, Clinton Cockell, Robert Ely, J. H. Damell, P. W. Elington, Z. D. Washburn, D. L. Leech, W. B. Bell.

The most of the names in the above list are names of persons residents of Missouri, who also attended and voted at previous elections in this Territory.

H. MILES MOORE.

LEAVENWORTH CITY, K. T., May 30, 1866.

H. MILES MOORE testifies.

At the time of the contested election, ordered by Governor Reeder to be held in Leavenworth, Kansas Territory, on the 22d of May, 1855, for members of the territorial house of representatives, I was a resident of Weston, Missouri, where I had been a resident for some five years. I came down here with a great many others from Weston, as I had done at previous elections, in obedience to calls issued by the pro-slavery men in this district, to all who felt an interest in the pro-slavery cause to come here and aid them in the election. There were

not near as many men on the ground at the election as at the election of the previous March. I think that more free State men voted in May than at the March election. I have examined the poll books of that election, and find upon it the names of persons then residents in Missouri, many of whom I saw vote, as I had seen Missourians vote at the previous elections in the Territory that I had attended. The following is a list of resident Missourians, whose names I find upon the poll books of the 22d of May, 1855, in this district.

A list of names of persons who resided in Missouri, and who voted at Leavenworth City, in Kansas Territory, at a contested election, held for members of the house of representatives, on the 22d of May, A. D. 1855, as appears by copy of said roll book of said election, herewith shown to me:

Sixteenth District.

Judge William B. Almond, Frank Marshall, of Marysville, K. T., Robert Kane, W. R. Kane, Nicholas R. Greene, Joseph Cockle, S. M. Gordon, M. Pemberton, George Quinby, William G. Bonnell, Daniel P. Lewis, L. Sheppard, John Venomen, James H. Headly, Z. M. Offert, J. E. McMallery, L. P. Stiles, Oscar Bywatees, William Bywaters, Isaac House, A. W. Hughes, Abner Dean, John Wilson, Edward P. Duncan, Hugh Sweeney, Henry Smith, William J. Navis, T. J. Harper, William T. Barber, L. R. Offert, J. P. Erickson, William H. Bell.

The election was quietly conducted, so far as I saw. After the election was over, I returned to Weston, Missouri, with those who had come down by land as we came in the morning. The pro-slavery candidates we voted for that day were Matthias Pegne and McMullin. I do not recollect anything about the free State candidates, except that John E. Gould was one of them.

H. MILES MOORE.

LEAVENWORTH CITY, K. T., *May 30, 1856.*

Copies of the poll books of an election held in the Territory of Kansas on the first Monday of October, A. D. 1855, for a delegate to Congress, as taken from the papers on file in the office of the secretary of the Territory by the Kansas Investigating Committee.

COUNTY OF ATCHISON.—*Grasshopper Township.*

OCTOBER ELECTION, 1855.

Territory of Kansas, county of Atchison, ss:

We do swear that we will impartially discharge the duties of judges of the present election according to law and the best of our abilities.

B. F. TRIMBLE,
R. H. GOODING,
H. N. RILEY.

Subscribed and sworn to before me this 1st day of October, 1855.
JAMES M. GIVEN.

Territory of Kansas, county of Atchison, ss:

We do solemnly swear that we will faithfully discharge the duties of clerks of the present election according to law and the best of our ability.

WM. C. NUTT.
CHAS. CONNER.

Subscribed and sworn to before me this 1st day of October, 1855.
JAMES M. GIVEN.

Names of voters for General J. W. Whitfield.

R H Cahill	W C Nutt
James Givens	Charles Conner
George W Simmons	R H Gooding.
B F Trimble	

Abstract of votes.

For J. W. Whitfield, 7 votes.

Territory of Kansas, county of Atchison, ss:

We, the undersigned, judges of the election held in Grasshopper township in the Atchison county election district, certify that the foregoing is a correct list of the votes given at an election held on the first day of October, A. D. 1855.

Witness our hands this — day of October, A. D. 1855.

B. F. TRIMBLE,
R. H. GOODING, } *Judges.*
H. N. RILEY,

Attest:

WILLIAM C. NUTT, } *Clerks.*
CHARLES CONNER,

COUNTY OF ATCHISON.—*Shannon township.*

POLL BOOK, OCTOBER ELECTION, 1855.

Henry Addoms, N. J. Ireland, and J. Bennett sworn as judges, and John G. Downey and J. M. Hazard sworn as clerks, before James A. Hadley, judge of probate court of Atchison county, according to form on page 1.

Names of voters.

1 Jessy Morin	6 A M Comie
2 H Blassinghine	7 Lyman Waid
3 J M York	8 H J Galbraith
4 J W Lincoln	9 John Robertson
5 N R Green	10 William Thomas

- | | |
|----------------------|----------------------|
| 11 J A Headly | 62 J Ashcroft |
| 12 John Norris | 63 Ira Norice, jr |
| 13 Grafton Thomason | 64 A H Allen |
| 14 James Merchell | 65 John P Hunnicutt |
| 15 J N Hinton | 66 Dudley McVay |
| 16 L Shindler | 67 Charles Riding |
| 17 W B Brockett | 68 Thomas Davis |
| 18 P P Willcox | 69 David Williams |
| 19 G W Grayson | 70 Samuel C Glenn |
| 20 A Kinser | 71 L T Ellison |
| 21 W McVay | 72 N J Zone |
| 22 P Ferris | 73 J Cummins |
| 23 G A Rings | 74 Jonathan Street |
| 24 John Taylor | 75 R S Kelly |
| 25 Joseph Taylor | 76 Jessy Isaacs |
| 26 Patrick McVay | 77 William T Shuman |
| 27 R L Berk | 78 William Wade |
| 28 Alexander Hays | 79 James Cravin |
| 29 Hiram Hays | 80 D C Judy |
| 30 Merit A Brumfield | 81 Rice S McCubbins |
| 31 John Parker | 82 J H Wills |
| 32 Patrick Boil | 83 F M McVay |
| 33 A A Groundike | 84 O D Wallace |
| 34 T Poestect | 85 John Amburgh |
| 35 James Wiglesworth | 86 William Jackson |
| 36 S Dickson | 87 Isaac Williams |
| 37 O B Dickinson | 88 John Wiser |
| 38 Levi J Boles | 89 Robert Finny |
| 39 J Munson | 90 H Martin |
| 40 J Poteet | 91 Billy Isaacs |
| 41 G B Well | 92 William Martin |
| 42 L L Boles | 93 J B Logan |
| 43 B Ross | 94 Daniel Kitchen |
| 44 J Large | 95 William S Dicks |
| 45 H Large | 96 Sanford Kyle |
| 46 Joseph Ferry | 97 M J Francis |
| 47 Thomas Rhea | 98 Thomas O Holly |
| 48 James Daniel | 99 Jessy Shepherd |
| 49 H R Waterman | 100 John Alin |
| 50 A Burchett | 101 J C Roswell |
| 51 J W Randolph | 102 John Roberds |
| 52 P Shariton | 103 P F Allen |
| 53 J Kasy | 104 A McPherson |
| 54 M Hampton | 105 D C Davis |
| 55 J McCune | 106 J A McVay |
| 56 A Shaw | 107 C M Gilmore |
| 57 O Hetherly | 108 W Stord |
| 58 J B A Ewell | 109 Lenius Page |
| 59 J H Stringfellow | 110 Charles Woolfolk |
| 60 Sam. Walters | 111 Silas Smith |
| 61 Sidney Walters | 112 John Hamlin |

113 Stephen Johnson	125 Henry Addoms
114 Jeremiah Barton	126 N J Ireland
115 J Wilcocks	127 John Bennett
116 M Kames	128 E C Mason
117 E Oldhorne	129 J M Hazzard
118 J G Morrow	130 John G Downie
119 Nelson Taylor	131 J W Wood
120 George William	132 Francis McDowell
121 L Yocum	133 Stephen English
122 J M C Bayly	134 William E Barnes
123 W W Andrews	135 A Taylor
124 William M Grimes	

Certified to by judges and clerks according to form on page 2 of copy.

Abstract of votes for delegate to Congress.

J. W. Whitfield	-	-	-	-	-	-	131
A. H. Reeder	-	-	-	-	-	-	4
Total number of votes polled	-	-	-	-	-	-	<u>135</u>

Certified according to form on page 2 of copy.

FORT SCOTT.

Territory of Kansas, county of Bourbon, ss:

The undersigned, having been appointed by the proper tribunal judges of an election, lawfully appointed to be held, for a delegate for said Territory to the Congress of the United States, on the first Monday of October in the year 1855, and having been duly sworn, according to the provisions of the act of the legislative assembly in such cases made and provided, do certify that on the day aforesaid such election was held at the town of Fort Scott, in said county, A. Hornbeck and R. G. Roberts being clerks sworn to the faithful discharge of their duties, when and where the following votes were given.

A. W. HAZELRIGG,
THOMAS J. WHITLOCK, } Judges.
G. OLDHAM,

1 T B Arnett	9 Stephen Diners
2 Thomas Wadkins	10 James B. Logan
3 John T Ricks	11 Noah Tisson
4 W S Houts	12 Thomas Marshall
5 W. H. Taylor.	13 William H Shawnesle
6 James Grages	14 William Watson
7 Elias Dean	15 F M Logan
8 William T. Gilham	16 Watson Kinsey

17 J W Sharp	68 W Smith
18 Henry C. Booker	69 William Anderson
19 Solomon Read	70 A Ramey
20 James McKhan	71 S Blevens
21 H Russell	72 R Marchbanks
22 J W Young	73 C Hays
23 Taylor Linsy	74 D B McDonald
24 L W Groves	75 Ryland Dillard
25 J W Newman	76 William Gibbons
26 J G Davis	77 John Nall
27 Rubin Dugan	78 John Wight
28 J L Dillard	79 W Smith
29 William Newman	80 P Hutton
30 J Robinson	81 J Spears
31 C D Bell	82 W M Hutchison
32 J H Walton	83 J S Camperford
33 Elvis Hutchins	84 W Hock
34 Francis Divers	85 W W Woodson
35 J T Herenten	86 D M Greely
36 W G Collins	87 Elijah Ray
37 P M Ray	88 L M Oliver
38 Noah Kyton	89 J Rogers
39 James McKool	90 C Bondurant
40 Hugh Logan	91 J B Richardson
41 Dillard Welch	92 T S Marlow
42 J W Cameron	93 E Ross
43 J B Stoops	94 R Wells
44 B Conler	95 A Thornton
45 J Thurman	96 S H Lowering
46 J W Sterns	97 R S Woods
47 H Nevil	98 W James
48 J R Lane	99 D Neil
49 Oskes M Nelson	100 J D Tucker
50 John Gant	101 William Bartlett, jr
51 G L Dook	102 J Know
52 William Morbanks	103 W Rogers
53 C S Ogleby	104 E A Cox
54 C M Ogleby	105 J W McFarland
55 G W Hopkins	106 A G Hall
56 T M Smith	107 J Denton
57 P Piar	108 G Morris
58 Levi Welch	109 A Dickson
59 John White	110 A J Russell
60 C C Sharp	111 D L Harrison
61 G W Walker	112 James Barker
62 J M Forster	113 J S Corwins
63 Marks Morgan	114 S Hert
64 R S Piper	115 John Rye
65 William Forster	116 A Baker
66 Robert Gragg	117 E S Wegend
67 Samuel Smith	118 J C Anderson

119 D F Greenwood	170 J Bolinger
120 C Bartlett	171 J P Hampton
121 E Ray	172 W R Morgan
122 R A Barnett	173 R Morrow
123 J D Ferguson	174 W J Line
124 W Fryar, sen	175 J R Beard
125 W Shelley	176 J Gross
126 T Snoder	177 J T Ray
127 N J Barnes	178 J O Simons
128 S A Williams	179 J White
129 C S Ferguson	180 J Ray
130 J Weber	181 P Zeal
131 G Ross	182 W W Cogswell
132 S Weber	183 H M Thornton
133 J W Denton	184 G W Shoemaker
134 M Kirk	185 J H Brown
135 S Foster	186 W F Alexander
136 J D Thompson	187 J Daniel
137 J Miller	188 W H Ward
138 W Snow	189 T Sumners
139 S M Stratton	190 F K Morgan
140 G Dorson	191 H R Kelso
141 A Dorson	192 J N Mige
142 P H Prockter	193 W Bollinger
143 G H Symons	194 W Breeze
144 A Moody	195 T Pickeral
145 J Randolph	196 Jonathan Denton
146 W W Jackson	197 A C Horton
147 Henry Herriford	198 W Panter
148 S H Herriford	199 C Lewis
149 J H Herriford	200 H W Linn
150 W H Herriford	201 D Crews
151 J Pritchett	202 J Pickeral
152 S A Dasert	203 A W Gage
153 C O Lorrell	204 J Brown
154 J Douglas	205 J N Cotrell
155 J January	206 J M Brown
156 J S Mitchell	207 A T Nalor
157 John Alexander	208 J Morrow
158 P Dunking	209 T M Cook
159 M M Kincanon	210 P D Cummins
160 A C Cogswell	211 J M Bryan
161 N S Hancock	212 N G Bukner
162 W R Miller	213 N M C Moore
163 B Alexander	214 M Linn
164 F Sherby	215 H T Wilson
165 A Keney	216 M J Rand
166 W January	217 D F Dewitt
167 J P Avery	218 R Beath
168 J W Maxey	219 C Mitchell
169 G J Entcott	220 C Cox

221 W D Horn	232 T S Spinkle
222 H C Weathers	234 N Pearson
223 L Hedges	235 A Hornbeck
224 S Wagoner	236 R G Roberts
225 W Cox	237 G Oldham
226 W Moffett	238 T J Whitlock
227 J W Cummins	239 A W Hazelrigg
228 C B Wingfield	240 H Varhell
229 S Bage	241 B F Hill
230 H Wingfield	242 W H Kilton
231 W P Wingfield	243 W Margraves
232 W Wadkins	

Territory of Kansas, Bourbon county, ss:

We, the undersigned, judges of an election held at Fort Scott on the first day of October, (it being Monday,) for delegate to Congress of the United States of America, do certify that there were two hundred and forty-two votes cast for John W. Whitfield, and for A. H. Reeder one vote, which were the whole number of votes cast at said election on said day, which is a fair and complete list of all of said votes.

Given under our hands, as judges of said election, at the town of Fort Scott, K. T., this 1st day of October, A. D. 1855.

A. W. HAZELRIGG,
 THOMAS J. WHITLOCK, } *Judges.*
 • G. OLDHAM,

Attest:

R. G. ROBERTS, } *Clerks.*
 A. HORNBECK, }

BROWN COUNTY.

Poll book of the election held at the house of W. C. Foster, in the county of Brown and Territory of Kansas, on the 1st day of October, A. D. 1855.

W. C. Foster, William Purket, judges, and H. Woodward, M. L. Saurin, B. Winkles, clerks of said election, were severally sworn as the law directs, previous to their entering on their respective offices.

1 W C Foster	5 Benjamin Winkles
2 Marcellus Saurin	6 E W Short
• 3 William Purket	7 John C Poe
4 Henry Woodward	8 Franklin J Robins

Names of persons voted for and for what office, containing the number of votes given for each candidate.

Delegate to Congress—John W. Whitfield	-	-	-	-	4
For license	-	-	-	-	1
Against license	-	-	-	-	0

We, the undersigned, judges of the election in Brown county, Kansas Territory, certify that the foregoing is a correct list of the votes given at an election held on the first day of October, A. D. 1855, as witness our hands this the first day of October, A. D. 1855.

W. C. FOSTER,
WILLIAM PURKETT, } *Judges.*
H. WOODWARD,

B. WINKLES, }
M. L. SAURIN, } *Clerks of Election.*

CALHOUN COUNTY.

We and each of us do solemnly swear that we will impartially discharge the duties of judges of the present election according to law and the best of our abilities.

PERRY FLESHMAN,
G. P. DORRIS,
SAMUEL S. LOCKHART.

Sworn to and subscribed before me, this first day of October, A. D. 1855.

JAMES KUYKENDALL, *J. P., C, K. T.*

We do solemnly swear that we will faithfully discharge the duties of clerks according to law and the best of our abilities.

WILLIAM L. KUYKENDALL.
J. M. KUYKENDALL.

Sworn to and subscribed before me, this first day of October, A. D. 1855.

PERRY FLESHMAN.

Poll book for Calhoun county.

For Congress—John W. Whitfield	-	-	-	-	-	29
Andrew H. Reeder	-	-	-	-	-	0
For license	-	-	-	-	-	14
Against license	-	-	-	-	-	5

Names of Voters.

J M Hands	Richard P Beeler
E M Sloan	James O Daniel
George L Young	Thomas F Monford
William Alley	Russell Gurrett
Charles Polk	William Wilson
G P Clark	Lucius Chaffee
James S Wilson	Joseph White
G P Dorris	William H Morgan
S S Lockhart	Jacob Baker
Perry Fleshman	John D Susle
J M Kuykendall	Bozeil Greemore
W L Kuykendall	O H P Polk
James Kuykendall, sen	Edwin G Booth
Raleigh J Fulton	Benjamin Boydston.
Creed Fulton	

Territory of Kansas, Calhoun county, ss:

We, the undersigned, judges of the election in number one election district, certify that the foregoing is a true and correct list of the votes given at an election held on Monday, the first day of October, A. D. 1855, as witness our hands this first day of October, A. D. 1855.

PERRY FLESHMAN,
G. P. DORRIS,
SAMUEL S. LOCKHART.

Attest: J. M. KUYKENDALL,
W. L. KUYKENDALL.

DAVIS COUNTY.—Delegate to Congress.

A H Reeder 4 (four) | J W Whitfield 8 (eight)

Names of voters.

1 Samuel Berry	7 Jess Spencer
2 J Preston	8 George M Switzenen
3 H J Hector	9 G H Harris
4 E J Howard	10 Alexander Dean
5 John H Rodman	11 John Wallace
6 John T Price	12 S H Sarber

We, the undersigned, judges of the election in Davis county election district, certify that the foregoing is a correct list of the votes given at an election held on the 1st day of October, A. D. 1855, as witness our hands this 1st day of October, A. D. 1855.

N. B. We have not deemed it necessary to exact the proof of payment of the territorial tax.

GEORGE H. HARRIS.
GEORGE MEIKEL SCHWEZER, } *Judges.*
JESS SPENKER,

Attest: ALEXANDER DEAN, } *Clerks of Election.*
JOHN WALLACE,

LECOMPTON—Douglas County.

To ——— Ellison, ——— Waffel, and ——— Ward:

You are hereby appointed judges of an election for delegate to Congress, to be held at the office of the town company in the town of Lecompton, on Monday, the first day of October, A. D. 1855.

By order of the board of commissioners.

Attest: JAMES CHRISTIAN, *Clerk D. C.*

Poll book for Lecompton.

1 James B. Hall	8 J R Henry
2 J F Taylor	9 A H McClenahan
3 R W Williams	10 N Riley
4 F H Alexander	11 T F Stone
5 James Alexander	12 J R Winn
6 G P Johnson	13 Edward Wiles
7 William Fisher	14 Monroe Booz

15 W R Scott	59 J S Ketchen
16 J M Muse	60 F Webster
17 J F Stonestreet	61 Benjamin Bartling
18 J N Enbey	62 G M Clam
19 J F Bilt	63 Frank McDowell
20 H C Spurtoch	64 William Rhine
21 Thomas Todhunter	65 Harry M Reynolds
22 Thomas Walter	66 Aaron Botts
23 A F Hereford	67 John M. Smith
24 D W Williams	68 Juan Todhunter
25 J J Crenmer	69 Charles F. Terchmaker
26 C C Spalding	70 John Mason
27 Timothy McClane	71 James Ubanks
28 J B McClenahan	72 W Robertson
29 Dudley Plummer	73 David W Runnels
30 S H Plummer	74 William Prewitt
31 Thomas Scaggs	75 Samuel B. Patterson
32 James Scaggs	76 Jack Anderson
33 H C Owens	77 Daniel Trigg
34 J F Jackson	78 Madison Frost
35 A E Tyry	79 J R Critcher
36 W Foly	80 Henry Carlile
37 W S Thompson	81 J F Smith
38 A J McClenahan	82 William Benson
39 F Thompson	83 A F Davis
40 John Wells	84 G. H Harrington
41 S J Wofert	85 A H Porter
42 Paris Ellison	86 Andrew McDonald
43 David Kendal	87 Fleming Hatton
44 Samnel D Jones	88 William Johnson
45 J D Todhunter	89 J P Pitcher
46 L Barnett	90 William Riley
47 G M Taylor	91 William Blayney
48 R C Bishop	92 John Stewart
49 W H Wilson	93 William F Halsey
50 William A Thompson	94 William C Willoch
51 Wills Garrett	95 B G Brook
52 Lewis Owens	96 William Doho
53 George W Johnson	97 Rufus Doho
54 James Borland	98 D F Reese
55 John Boatman	99 Frank Brady
56 E Teschmaker	100 Jacob Hard
57 John S Winters	101 John Handcok
58 James M Davidson	

We, the undersigned judges, do certify that Hon. J. W. Whitfield received 101 votes.

PARIS ELLISON,
DAVID KENDALL,
JAMES D. TODHUNTER.

We, the undersigned judges of the election at Lecompton, Kansas

Territory, certify that the foregoing is a correct list of the votes given at an election held on the 1st day of October, A. D. 1855, as with our hands, this the 1st day of October, 1855.

PARIS ELLISON,
DAVID KENDALL,
JAMES D. TODHUNTER, } Judges

Attest:

WILLIAM T. WILSON,
R. C. BISHOP.

(No oath of judges and clerks on file.)

Poll book of Franklin Township, Douglas county.

1 S Z Sheet	37 Christopher Mubao
2 John M Jackson	38 P H McGee
3 J W Jimmason	39 M McMurry
4 John M Hays	40 C R Shell
5 J F Thomas	41 Jon B Lewis
6 R M Grant	42 W S Hunt Doel
7 James M Hambuck	43 John A Gouldin
8 Nathan L Simpson	44 E D Hart
9 A H Tinman	45 James A Collins
10 Joseph H Boid	46 H P Muir
11 George Holmes	47 Z J Walton
12 R Simpson	48 R J Wolf
13 B R Piper	49 E B Johnston
14 J N Harvey	50 S C Wair
15 W H Chase	51 Arch. Paxton
16 Benomas Sapington	52 J T Clark
17 S Houston	53 E G Leak
18 John Harris	54 Peter Doran
19 William C Camell	55 Peter Burns
20 R S Harvey	56 Charles M Denis
21 John R Metcalf	57 E McCane
22 John M Sappington	58 Alex. Sebastian
23 J A Twiman	59 James Turner
24 O B Pearson	60 Toby Lahay
25 Thomas Jackson	61 Peter Behan
26 Ruben Cornilus	62 John D Lahay
27 John O Lockhart	63 B C Lady
28 Joab Vanwick	64 William Justins
29 C J Lewis	65 Antonius Lahay
30 George Foulman	66 Alfred Justice
31 O B H McGee	67 George Blencjacket
32 Ambros Floughmany	68 Thomas Rogers
33 Samuel Justin	69 A C Smith
34 F E L Hay	70 D L How
35 F L Cohn	71 Isaac Shass
36 J C Evans	72 B F McDaniel

73 David Wallace	80 Edward Wild
74 M P McCarty	81 Samuel Crain, sr.
75 J M Crain	82 James Whitlock
76 H T Crain	83 D T Carlno
77 W J Jones	84 John Smith Norris
78 Isaac Burt	85 W L Parr
79 G P Johnson	86 John N Wallace

Certified to by James Whitlock, D. T. Conlin, and Samuel Crane, sen., as judges; and William T. Parr and J. Smith Norris, as clerks, according to form, on page 2.

Poll book of Laurence.

1 J H Crocket	22 G W Kemper
2 Calvin Adams	23 H C Hamilton
3 Franklin Kerrans	24 Edmond Smith
4 S M Saltus	25 William Iron
5 W J Shaerff	26 G W Smith
6 T W Phillips	27 B B Bernoe
7 Peter Crockett	28 Thomas Winship
8 L B Kerns	29 Garland Webb
9 James Christian	30 Daniel D White
10 A J Bush	31 John Ferrill
11 Robert Allen	32 Henry A Carlen
12 J F Belt	33 William Corel
13 J F Jackson	34 S C Were
14 E Wilds	35 James Garvin
15 H C Owens	36 R J Merkerson
16 Martin Adams	37 James Green
17 W H Oliver	38 John F Wilson
18 Fields Bledroe	39 E Y Shields
19 John F Rumel	40 Alfred Wilhelm
20 A C Hinmon	41 J W Wilhelm
21 James R Hilman	42 Thomas Smith

John W. Whitfield received forty-two votes. Certified to by Peter Clockett and W. Schaerff, judges; James Christian and L. B. Kenas, clerks, according to form on page 2.

Poll book, Willow Spring, Douglas county.

Voters' names.

1 G W Brian	9 G W Pool
2 Joseph Bradbury	10 A Smith
3 R O Steel	11 Jonah H Wagoner
4 R B Brown	12 Z Johnson
5 M L Benson	13 W Cumins
6 J P Sanders	14 J H Lockridge
7 John Montgomery	15 B F Bounds
8 Thos D Jones	16 R H White

17 S L Clark	61 L Dent
18 Thomas Emery	62 G P Skezur
19 M Boune	63 Wm A David
20 L Graham	64 Wm Donaldson
21 Wildie McKing	65 Wm E Baker
22 H O Lowery	66 William Isbell
23 J D Cunningham	67 Jared Chapinan
24 H Owens	68 P O'Conner
25 R B Motny	69 H O'Conner
26 B T Brown	70 Wm O'Conner
27 William Russell	71 A Street
28 L Reed	72 J G Baker
29 E B Reed	73 Aaron Case
30 J B Dairs	74 John O'Conner
31 M Reynolds	75 Levi Herren
32 S W Fisher	76 A Bell
33 Oscal Young	77 P N Watts
34 John Jones	78 S Creel
35 A B Collotte	79 Henry Kauz
36 James Reed	80 D Burton
37 S H Davis	81 Newton Cary
38 John Carroll	82 John Burton
39 John M Banks	83 W W Williams
40 Jonathan Shepherd	84 John McClarau
41 Thomas Breeze	85 Charles Matny
42 Charles Martin	86 G W Cary
43 E Poage	87 R W Cary
44 N McKinney	88 C F Cleveland
45 John Macklin	89 S Shepperd
46 Wm Roads	90 Wm G Luckett
47 James S Campbell	91 Thomas Essecks
48 L Steel	92 Wm McKenney
49 Wm A Parrish	93 M H Burton
50 C L Parrish	94 F M Coleman
51 R Flournory	95 D T Jones
52 R J Long	96 Wm Curry
53 H C Parish	97 J M Tanett
54 John Eadlehart	98 J B Campbell
55 Joseph Hager	99 C M White
56 Silas Sutton	100 G W Hurr
57 J M Russell	101 James Campbell
58 Robert Corlan	102 Milton Boon
59 John W Benett	103 D Fletcher
60 Alfred Laws	

For Congress.

J W Whitfield - 103 | A H Reeder - - - 0

We, the undersigned, judges of the election at Willow Springs, cer-

tify that the foregoing is a correct list of the votes given at an election on the 1st day of October, A. D. 1855.

M. BOONE,
D. FLETCHER,
JAMES CAMPBELL, } *Judges.*

Attest:

C. M. WHITE, }
J. B. CAMPBELL, } *Clerks of election.*

IOWA TOWNSHIP.—*County of Doniphan.*

Poll book of the election held at the house of William Beeler, in Iowa Point, Iowa township, county of Doniphan, Territory of Kansas, on the 1st day of October, A. D. 1855.

Robert H. Fitch, George Brown, and J. B. Matlack, judges, and Daniel W. Flinn and James Glenn, clerks of said election, were severally sworn, as the law directs, previous to their entering on their respective offices.

Names.

1 Jesse Lewis	17 D K Anderson
2 William Williams	18 Thomas Leas
3 Harry Foreman	19 Mikle Bird
4 George E Glass	20 Ezekiel Hobbs
5 W D Beeler	21 A M Downing
6 Charles Blakely	22 F H W Young
7 Madison Walker	23 W W Felton
8 W H Hawkins	24 Jackson Baker
9 Jackson Rany	25 Pryor Plank
10 Thomas Smart	26 Samuel Hollman
11 Perry Glenn	27 R H Fitch
12 A D Kainy	28 D W Flin
13 George Penny	29 George Brown
14 Isaac Crouch	30 Doctor Shepherd
15 X K Gout	31 Joseph A Brown
16 William Nowland	32 James Glenn

Names of persons voted for, and for what office, containing the number of votes given for each candidate.

Delegate to Congress—John W. Whitfield	-	-	-	30
For license	-	-	-	11
Against license	-	-	-	18

We, the undersigned, judges of election in Iowa township, county of Doniphan, and Territory of Kansas, certify that the foregoing is a correct list of the votes given at an election held in Iowa Point, on the H. Rep. 200—37*

1st day of October, A. D. 1855, as witness our hands this — day of October, A. D. 1855.

ROBERT H. FITCH, }
GEORGE BROWN, } *Judges.*
J. B. MATLACK, }

Attest:

DANIEL W. FLINN, }
JAMES GLENN, } *Clerks of election.*

DONIPHAN.

Poll book of the election held at the hotel of John W. Forman, in the town of Doniphan, Wayne township, county of Doniphan, and Territory of Kansas, on the 1st day of October, A. D. 1855.

William Sublette, D. M. Johnston, and James Lynch, judges, and J. H. Thompson and J. A. Van Arsdale, clerks of said election, were severally sworn, as the law directs, previous to their entering on their respective duties.

- | | |
|---------------------------|-----------------------|
| 1 A J Dunning | 31 Josiah Howard |
| 2 Jacob Mathews | 32 Daniel S Young |
| 3 C J Yeary | 33 E McCall |
| 4 S K Miller | 34 Campbell Baker |
| 5 David Frank | 35 Jacob Grollen |
| 6 G M Waller | 36 Andrew McLaughlin |
| 7 William Christopher | 37 W G Tate |
| 8 B G Wells | 38 G R Formen |
| 9 Jacob J Scott | 39 John Martin |
| 10 Benjamin Twedell | 40 Richard Vest |
| 11 John Tracy | 41 Benjamin Wharton |
| 12 R Smith (license) | 42 J H Thompson |
| 13 William F Tate | 43 J A Van Arsdale |
| 14 Jeff Hutton | 44 James Lynch |
| 15 Benjamin Hutton | 45 William Sublette |
| 16 Calvin Lewis | 46 D M Johnston |
| 17 O Brown | 47 Joshua Laundis |
| 18 B O Driscoll | 48 William H Hivehman |
| 19 John Walker | 49 James Roney |
| 20 George Hancock | 50 Benjamin Wilcox |
| 21 John W Philips | 51 John S Pemberton |
| 22 S C Hudson | 52 H W Swisher |
| 23 John Rice | 53 Gudman Cox |
| 24 Keron Grable (license) | 54 G W Lidinger |
| 25 Joseph Frates | 55 D G Sharp |
| 26 Colonel Newman | 56 James Roberts |
| 27 Joseph Grable | 57 William Froman |
| 28 J B Baker | 58 John Abahart |
| 29 William Beauchamp | 59 Amos Rutledge |
| 30 John W Forman | 60 G A Crane |

61 C C Alverson
62 Joseph Cook
63 G W Parker

64 G L Gore
65 T H Gallaher
66 Alexander Hall

Names of persons voted for, and for what office, containing the number of votes given for each candidate.

Whitfield	-	-	66	No license	-	-	44
Reeder	-	-	0	License	-	-	17

Certified by judges and clerks of said election according to form on page 2.

WASHINGTON TOWNSHIP.

Poll book of the election held at the house of M. F. Moss, near Milton Bryant's, in Washington township, county of Doniphan, and Territory of Kansas, on the first day of October, A. D. 1855.

Jeffrey M. Palmer, H. S. Creal, and William Matthews, and James B. Whitehead, and D. Scott Bogle, clerks of said election, were severally sworn previous to their entering upon their respective offices.

1 Hamilton Osborn	27 William J Copeland
2 Hamilton J Johnson	28 John Toke
3 Timothy Bancroft	29 James H Merrill
4 James Petch	30 John Bolinger
5 C B Donalson	31 William Lalley
6 D Scott Bogle	32 G L Gore*
7 James B Whitehead	33 W H Allen
8 Milton E Bryant	34 William Palmer
9 J M Palmer	35 F M Mahon
10 William Matthews	36 Girard B Jones
11 Peter Monroe	37 Levin A Benson
12 A Heed	38 Samuel Montgomery
13 J P Blair	39 J B Owens
14 Leander McClelland	40 John Lovelady
15 William Morgan	41 William Fee
16 H S Creal	42 Hiram Gilbert
17 Miles Collins	43 James Lyn
18 Uriah Griffith	44 Sabert Gladon
19 Edward Leary	45 John Duncan
20 Daniel Miller	46 Hamilton Kirk
21 Stephen M Bell	47 John T Montague
22 Daniel O. Tool	48 Wilson D Moore
23 William Robertson	49 Constadt Powers
24 D R Benson	50 Peter Vergent
25 Daniel L Henry	51 James B. O'Tool
26 Elias Copeland	52 John Trotman

* 64 Doniphan township.

53 James O Tool, sen.	58 Samuel Flint
54 Henry Chumley	59 Henry Thompson
55 Cary B Whitehead	60 Rily Millrap
56 Francis Young	61 Evan Evans.
57 James Bliss	

Names of persons voted for, and for what office, containing the number of votes for each candidate.

John W. Whitfield, for Congress	-	-	-	59
General J. W. Mouskikaoff, for Congress	-	-	-	2
For license	-	-	-	39
Against license	-	-	-	8

Certified by judges and clerks according to form on page 2.

BURR OAK.

Poll book of the election held at the house of John W. Smith, at Smith-ton, Burr Oak township, county of Doniphan, and Territory of Kansas, on the 1st day of October, A. D. 1855.

Judges and clerks of said election were severally sworn as the law directs, previous to their entering on their respective offices.

1 L T Lolan	25 Mathias Rapp
2 T W Watterson	26 H D Adams
3 James Watterson	27 A P Tribble
4 Joseph Crippin	28 D B Tindel
5 S E Morris	29 James Gabriel
6 W P Richardson	30 Hezekiah Jackson
7 John W Smith	31 William C Gilliam
8 Porter Roberts	32 E C Gilliam
9 Nimrod Duncan	33 A J Gilliam
10 J W Stevens	34 Thomas Duvall
11 J W Sm th	35 Asa K Hubbard
12 Charles Slimmer	36 Obadiah Evans
13 A F Barnett	37 Jarel Treble
14 Robert Reed	38 William Treble
15 James Craft	39 J W Treble
16 William Burtoutt	40 E C Smith
17 William Bryant	41 Jesse Cot
18 Philips Mannel	42 Henry James
19 Francis Bogair	43 Richard Morris
20 Robert M Whitsett	44 H C Moore
21 Thomas Bankenship	45 John Henderson
22 Charles Taylor	46 L D Cook
23 Robert L Morris	47 Thomas H McCulloch
24 Francis M Morris	48 Benjamin Caststeel

Names of persons voted for, and for what office, containing the number of votes given for each candidate.

John W. Whitfield, for Congress	-	-	-	42
For license	-	-	-	39
Against license	-	-	-	5

Certified to by John A. Henderson, Richard Morris, and Henry C. Moore, judges, T. H. McCulloch, T. D. Cook, clerks, according to form on page 2.

LAKE VILLAGE.—*Wolf river township.*

Poll books of the election held at the house of Milton Utt, at the Lake Village, in the Wolf River township, county of Doniphan, and Territory of Kansas, on the first day of October, A. D. 1855.

G. R. Wilson, A. P. Quick, and A. Q. Rice, judges, and Josephus Utt and Thomas J. Vanderslice, clerks of said election, were severally sworn as the law directs, previous to entering on their respective offices.

1 R Baldwin	28 M Brown
2 A B Sharp	29 Isaac Craig
3 D Vanderslice	30 William Vickers
4 David Bogard	31 Joel Ryan
5 James J. Vanderslice	32 Milford Gilmore
6 Hardin Critchfield	33 Samuel Potut
7 William T B Vanderslice	34 Isaac Chase
8 Nelson Rodgers	35 Henry Chase
9 Milton Utt	36 Josephus Utt
10 M C Modie	37 A Q Rice
11 James W Oliver	38 G W Gay
12 J G Yates	39 G R Wilson
13 A J Yates	40 A P Quick
14 R M Gilmore	41 T J Vanderslice
15 S D Gilmore	42 William Lewis
16 S G Fish	43 George Jones
17 G W Dowell	44 J J Smith
18 S D Bright	45 Maidson Osborne
19 J J Reynolds	46 Sidney Gwinn
20 Richard Leach	47 N Kimberlane
21 William Craig	48 John Kimberlane
22 Henry Smith	49 Wallace Smith
23 James Brooks	50 Peter Monter
24 James Cameron	51 K Murray
25 William Smith	52 William McGathney
26 William Webb	53 D Utt
27 M D Brown	

Names of persons voted for, and for what office, containing the number of votes given for each candidate.

John W. Whitfield, for Congress, 53.
For license, 29 ; against license, 8.

Certified to by the judges and clerks according to form page 2.

Poll book for Middle Creek.

1 Alexander Smith	4 Edward Payne
2 Samuel M Robertson	5 D H Leeper
3 John Payne	6 Thomas Totten

For J. W. Whitfield, 6 votes.

We, the undersigned, judges of the election in Franklin county, held at the house of Thomas G. Blair, certify that the foregoing is a correct list of the votes given at an election held on the first day of October, A. D. 1855, as witness our hands this first day of October, A. D. 1855.

FREDERICK BROWN,
D. H. LEEPER,

EDWARD ^{his} + PAYNE,
_{mark.}

Judges of election.

THOMAS G. BLAIR, } *Clerks of election.*
THOMAS TOTTEN, }

Poll book of Pottawatomie Creek, Franklin county.

VOTERS' NAMES.

1 R Golding	6 George Wilson
2 A Wilkinson	7 J P Barnebey
3 J S Wightman	8 William Sherman
4 H Sherman	9 Jeremiah Buffington
5 H S Britton	

For J. W. Whitfield, 9 votes.

We, the undersigned, judges of the election at the house of Henry Sherman, in the county of Franklin, certify the foregoing is a correct list of votes given at an election held on the first day of October, A. D. 1855. As witness our hands, this the first day of October, A. D. 1855.

JOHN G. MORSE,
SAMUEL MACK,
JOHN S. WIGHTMAN.

Attest:

A. WILKINSON, } *Clerks of election.*
J. P. BARNEBEY, }

Poll list of Jefferson county, Kansas Territory.

Names of voters.	Votes for J. W. Whitfield.	Votes for A. H. Reeder.	Names of voters.	Votes for J. W. Whitfield.	Votes for A. H. Reeder.
1. James Todd.....	1	.....	24. Webster Withers.....	1	.....
2. Marcus Todd.....	1	.....	25. Jacob Downing.....	1	.....
3. William Freeborn.....	1	.....	26. Joseph Downing.....	1	.....
4. William Sprage.....	1	.....	27. Samuel Hudson.....	1	.....
5. George F. Squiburg.....	1	.....	28. Robert K. Grant.....	1	.....
6. Preston L. Dunlap.....	1	.....	29. W. H. Tibbs.....	1	.....
7. John Q. Grayson.....	1	.....	30. W. F. Dyer.....	1	.....
8. George W. Grayson.....	1	.....	31. Richard Grant.....	1	.....
9. John Burger.....	1	.....	32. John Sharp.....	1	.....
10. George Parrott.....	1	.....	33. A. Christian.....	1	.....
11. Judge O. B. B. Tibbs.....	1	.....	34. D. R. Sprague.....	1	.....
12. Charles Moreton.....	1	.....	35. Peter Dupuy.....	1	.....
13. William Carpenter.....	1	.....	36. Thomas McMix.....	1	.....
14. Charles Buzbee.....	1	.....	37. H. Combs.....	1	.....
15. Marion Christian.....	1	.....	38. Benjamin Danson.....	1	.....
16. James A. Chapman.....	1	.....	39. R. C. Combs.....	1	.....
17. S. R. Burpee.....	1	.....	40. J. E. Haddie.....	1	.....
18. H. Banfield.....	1	.....	41. E. Cornett.....	1	.....
19. Joseph W. Thompson.....	1	.....	42. James McIntire.....	1	.....
20. J. R. Smith.....	1	.....	43. Hiram Combs.....	1	.....
21. Ellis Downing.....	1	.....	44. John Patton.....	1	.....
22. C. Withers.....	1	.....	45. Henry Roach.....	1	.....
23. J. L. Prior.....	1	.....			

We, the undersigned, judges of election, certify that the above and foregoing is a correct poll cast at Osaukee, Jefferson county, Kansas Territory, at an election held this first of October, 1855, for delegate to Congress, viz: For Whitfield, 42; for Reeder, 3. Total, 45.

D. R. SPRAGUE,
A. CHRISTIAN,
PETER DUPUY.

Attest:

M. CHRISTISON, }
W. H. DYER, } *Clerks.*

Votes cast at the county seat of Johnson county, Kansas Territory, on the 1st of October, 1855, for delegate to Congress.

1 Smallwood Noland	8 Albert Wright
2 N J Cord	9 Ch's Packard
3 G W Gordon	10 A Jones
4 J D Harvey	11 A H Hcugh
5 N K Thomas	12 S W Asbury
6 R D Harris	13 Sohn Berry
7 Jos S Ball	14 J Q Cupp

15 K F Moore	66 W L Haltron
16 T Doniphon	67 A Richter
17 A Kerr	68 A T Force
18 Richard Pitcher	69 John McFadder
19 S F Furnace	70 John Lyrch
20 G T Williams	71 Silas Evans
21 F H Catron	72 J R Atkinson
22 F G Campbell	73 John Halbut
23 E S Fishback	74 J Lauderdale
24 Jesse Noland	75 Davis Vogle
25 Thos Huckell	76 Silas Combs
26 R Thorpe	77 T S Ham
27 J B Shelly	78 Jos Hicklin
28 Wm Duggins	79 H Bailey
29 M McGill	80 H H Harrison
30 R L Bell	81 H McMahan
31 B F Claggett	82 John Shannon
32 Wm Groom	83 Wm Rice
33 G S Rathborne	84 Joel Lascomb
34 G Hopkins	85 F M Huchison
35 T S Boyce	86 Charles Chotian
36 L A Talbott	87 U L Boyer
37 F Cering	88 O Latinar
38 C V Lincoln	89 J Napier
39 A Hassell	90 Danl Duffelmin
40 John Falkerson	91 J F Mills
41 Pleasant Ellington	92 Wilson Shannon
42 J H Ware	93 Geo Buchanan
43 Wm M Groom	94 John S Johnson
44 J L Steadman	95 T J Lockridge
45 R C Miller	96 Jos Tooley
46 S L Doty	97 Fred Clotian
47 C Monroe	98 J M Harrison
48 G W Baker	99 Wm Donaldson
49 J Q Atkins	100 J Blackstone
50 J D Stevens	101 J W Ellis
51 G W Showalter	102 Benj Clotian
52 Wm Gillespie	103 John Wornall
53 Jas Fleming	104 G Ridley
54 Wm Semple	105 Rush Elmore
55 Wm Kentley	106 J L Duncan
56 John A Collins	107 James Adams
57 T B Covau	108 Joseph Dilland
58 C C Wallace	109 Wm Ish
59 A J Zerpin	110 John Ish
60 H Gening	111 B F Johnson
61 S Magughay	112 H C Pate
62 A F Patton	113 John S Davis
63 J B Shaw	114 S J Huffaker
64 Otho Hall	115 Cyprian Chotian
65 Samuel Barnam	116 T H Ellis

117 John Johnson	154 J T Lawtzel
118 P Dansby	155 John McArty
119 Wm Sponger	156 M P Randall
120 John Parks	157 J C Pollard
121 Nathan Guthrie	158 W Massy
122 Charles Blujacket	159 W Bailey
123 Danl Woodson	160 Henry Meguire
124 Charles Tucker	161 C L Conner
125 Captain Blockhoof	162 C R Low
126 John Pumpkin	163 F M Davis
127 Wm B Coots	164 Jo Day
128 Jeremiah Frazier	165 John Profit
129 V D Broom	166 Joseph Flint
130 J B Warfield	167 Jas Keyser
131 J D Piery	168 Joseph Jack
132 A B Emor	169 Samuel Gannets
133 Chas Rohealan	170 B T Keyser
134 Wm B Howard	171 Eli Blockhoff
135 H A Huchison	172 T Deagle
136 Charles Bowles	173 Alfred Lee
137 H A Hunter	174 D Dodson
138 Henry Coffman	175 T K Moore
139 William Clotian	176 Geo McDougal
140 J T Barton	177 Jas Peterson
141 D W Stone	178 H F Henford
142 Billy Wolf	179 H H Ratcliff
143 Coleman Smith	180 W M Clark
144 H G Burton	181 A Hoff
145 P Booker	182 Richard McAnish
146 G W Walker	183 John Talboot
147 J F Lunley	184 A C Davidson
148 Wm Surpin	185 C Arrington
149 G Ragan	186 Moses Silverheels
150 T A McLain	187 Tobe
151 Jesse Harris	188 Kashowaypensheki
152 G W Rice	189 S Kimberlaid
153 J M Bernard	190 Henry De Shain

We, the undersigned, judges of the election in ——— election district, certify that the foregoing is a correct list of the votes cast at the election held on the 1st day of October, A. D. 1855. As witness our hands this first day of October, 1855.

C. CHOUTEAU,
C. BOLES,
Z. J. HUFFAKER,
Judges.

Attest:

JNO. S. DAVIS,
H. BAILEY,
Clerks.

LEAVENWORTH DISTRICT.

Poll book of an election held at the city of Leavenworth, in Leavenworth township, in the county of Leavenworth, in Kansas Territory, on the first Monday in October, A. D. 1855, for delegate in the thirty-fourth Congress of the United States.

Names of voters.

1 Hiram Rich	43 James McGowan
2 James R Water	44 Jesse Summers
3 William H Miller	45 Joseph Skagg
4 C L Beeding	46 J L Bowen
5 John Vendamon	47 J D Trice
6 J W McNutt	48 John Sweany
7 James Depsey	49 J Cockrill
8 Floyd Shannon	50 Joel Hyatt
9 S D Lecompte	51 J B Donaldson
10 Andrew Gardner	52 John A Haldeman
11 H H Estis	53 G Atkins
12 W H Pence	54 R B Sandford
13 W P Judy	55 W S Hughes
14 M A Groom	56 J M Alexander
15 Q A Weeling,	57 G P Dyke
16 H L Trundle	58 O H Swiney
17 W T Nicholson	59 B B Brown
18 John Estes	60 J P Womack
19 William Boyd	61 Hugh Swiney
20 Joseph Welding	62 D J Johnson
21 D A Thompson	63 B F Simmons
22 J Mothershead	64 R R Rees
23 J E Emmerson	65 Leander Kerr
24 Thomas C Bishop	66 W C Baker
25 J W Gardner	67 Simeon Scruggs
26 S Greenfield	68 John J Berry
27 Bartly Estes	69 W H Adams
28 P H Collins	70 G H Hale
29 W H Chowning	71 John McKonn
30 John Chrisman	72 Q H Day
31 J G Williams	73 Samuel F Teem
32 J Spear	74 N N Wilkinson
33 J C Posey	75 Amos Rees
34 H Corrun	76 J H Berryman
35 John E Bird	77 H D McMeekin
36 J L Coran	78 S W Holland
37 Clinton Cockrill	79 J F Mason
38 E C Naylor	80 L Cox
39 R C Thompson	81 James L Hickman
40 Abraham Estes	82 Henry Miller
41 James Swing	83 Jere Clark
42 James Tenson	84 R E Sanders

85 W S Karr	137 Levi Wilson.
86 Robert Scarce	138 Thompson Mu.
87 Y Y Jones	139 C C Redman
88 B R Burnett	140 Peter Ganey
89 Robert Ely	141 H Rives Pollard
90 John Long	142 Jonathan Hartman
91 William Laye	143 Eli Moore
92 Samuel Paul	144 F S Atterbury
93 Thomas Stewart	145 Joseph Cromwell
94 T. McArthur	146 H H C Harrison
95 J. Mills	147 Z D Washburn
96 James Rich	148 J Huntingdon
97 John Farrier	149 Joseph Chrisman
98 W W Corwin	150 Silas Gordon
99 Charles Stames,	151 R F Duncan
100 Charles A Mann	152 J C Thompson
101 Joseph Duncan	153 George Adams
102 Daniel Thatcher	154 William A Parrott
103 John Thatcher	155 Thomas F Scott
104 S H Oliphant	156 James McCrury
105 W J Green	157 P Keith
106 Jeremiah Johuson	158 P N Kennelly
107 C M Burgess	159 J P Russell
108 Nathaniel Learey	160 D S Leach
109 B F Hale	161 Samuel J Finch
110 G W Roberts	162 Hugh Archer
111 A Parker	163 Nathan Campbell
112 T Saggitt	164 Levi Sykins
113 Thomas N Gosney	165 F N Royall
114 Thomas Smith	166 William H Bell
115 Isaac Archer	167 William G Mathias
116 John Keeler	168 James Sanders
117 Thomas N Smith	169 Vandeman Cockrill
118 A J G Westbrook	170 M P Rively
119 G B V McCall	171 M Smith
120 James Edgins	172 B E Rively
121 Michael Kelly	173 S B Goodrich
122 Thomas E. Downing	174 John Daily
123 Richard Goddin	175 W Sanders
124 John Bryant	176 J M Hackler
125 Lewis Chinn	177 Jeremiah Crabb
126 W Todd	178 B Crabb
127 James Adams	179 W S Caldwell
128 James B Hall	180 G W Hill
129 P W Ellington	181 J Q Murphy
130 James H Connelly	182 William Long
131 Abner Dean	183 Daniel Stewart
132 James Buckhart	184 Roderick Tate
133 Marion Todd	185 John McVevin
134 John Flint	186 James Tate
135 J W Damell	187 William G Norris
136 R T Damell	188 Barnabas Gable

189 J W Broadbuds
 190 J S Hook
 191 W D Bull
 192 W H Bailey
 193 Jackson Handley
 194 A J Isaacs
 195 Jackson Smith
 196 Hiram Kelly
 197 John Wells
 198 Charles Dunn
 199 John Munford
 200 R C White

201 John Winston
 202 William Gist
 203 B McCreary
 204 C A Russell
 205 Green B Todd
 206 Thomas C Hughes
 207 James M Lyle
 208 G B Pantou
 209 C Y Harrison
 210 William Alywan
 211 Joel B Collins
 212 W S Yoke

John W. Whitfield received 212 votes.

We, the undersigned, judges of the election in Leavenworth election district, certify that the foregoing is a correct list of the votes given at an election held on the 1st day of October, A. D. 1855, as witness our hands this ——— day of October, A. D. 1855.

G. B. PANTON,
 ALEX. RUSSELL, } *Judges.*
 BENJ. McCRARY, }

Attest:

JAMES M. LYLE, } *Clerks of election.*
 JOHN T. RICE, }

DELAWARE TOWNSHIP.—*Leavenworth county, K. T.*

Poll book of an election held at the house of William H. Spratt, in Delaware township, in the county of Leavenworth, in Kansas Territory, on the first Monday in October, 1855, for delegate in the thirty-fourth Congress of the United States.

1 Josiah Farly
 2 W T Darnal
 3 Sam'l Hoy
 4 Isam Thompson
 5 A W Hughes
 6 Washington Berry
 7 John H Thompson
 8 Nathan Leonard
 9 Hoy Cooper
 10 John Durnal
 11 Marion Pemberton
 12 William Beal
 13 Ephraim Jessy
 14 J C Hughes
 15 Edward M Dobson
 16 T J Bul
 17 Thomas Turner

18 Noah Pitcher
 19 Dabner Perkins
 20 Archibald Hughes
 21 Thomas Perkins
 22 W W Henshaw
 23 William Bedman
 24 William Wallace
 25 John Christison
 26 Daniel Siewart
 27 Robert Tarr
 28 William Pemberton
 29 James Esenage
 30 Aaron Cox
 31 J McDaniel
 32 M M Clemins
 33 J Colvin
 34 Richard Darneal

- | | |
|---------------------|--------------------------|
| 35 James Wallis | 86 Burrford Adkins |
| 36 William Dickey | 87 Silas A Quissy |
| 37 William Cane | 88 W W Quissy |
| 38 V Cockrill | 89 Brooker Horner |
| 39 A Clark | 90 Samuel Finley |
| 40 James McDaniel | 91 May Burton |
| 41 William Kinsey | 92 William Brunston |
| 42 M C Morris | 93 William Toatston |
| 43 Thomas Arnold | 94 James Moore |
| 44 J G Haden | 95 James M Churchill |
| 45 John Alvis | 96 William Davis |
| 46 H L Merrill | 97 William Henston |
| 47 F M Kinsey | 98 Charles Crawford |
| 48 W D Bunale | 99 Thomas Starnes |
| 49 James Littlejohn | 100 Daniel Heath |
| 50 Benjamin Kinsey | 101 Joseph Walker |
| 51 James Kinsey | 102 Samuel Taulston |
| 52 James P Hayden | 103 V Mothershaw |
| 53 Alexander Tab | 104 Samuel P Beraine |
| 54 John A Sedmer | 105 Adolphus B Hoolin |
| 55 L V Barnate | 106 Thomas Kinsey |
| 56 J Miller | 107 Owen Duly |
| 57 J Y Roberts | 108 John Brightwell |
| 58 John Brooks | 109 Granville Brightwell |
| 59 Ellis Henshaw | 110 J F Wardon |
| 60 David Clarke | 111 J G Slayes |
| 61 Joseph Dunnigan | 112 A K Elliott |
| 62 J F Snow | 113 Frank Gains |
| 63 B Larkin | 114 Simpson Parks |
| 64 W J Millar | 115 John H Wilkinson |
| 65 L Oudkam | 116 J N Hutchinson |
| 66 John Ecton | 117 Black Richards |
| 67 James Embridge | 118 Howell Jenkins |
| 68 John W Rogers | 119 M J Moore |
| 69 Richard Ducate | 120 D J Moore |
| 70 Samuel S Brooks | 121 William B Almond |
| 71 Thomas Brooks | 122 John E. Brooks |
| 72 Joseph Bruse | 123 Henry Witlow |
| 73 Pady Cooper | 124 William Green |
| 74 O F Warren | 125 G Moore |
| 75 G B Redman | 126 John Flanery |
| 76 Jesse Smith | 127 David McFir |
| 77 Joseph Little | 128 John Moore |
| 78 Alexander Baker | 129 Daniel Cary |
| 79 James Nash | 130 William Fox |
| 80 Levi Ferguson | 131 Robert Cary |
| 81 Mat Winston | 132 James Fox |
| 82 Albro Pemberton | 133 Thomas Tudor |
| 83 John Cane | 134 Robert Chisum |
| 84 Rob't Cane | 135 W W Woods |
| 85 William Hoy | 136 Silas Woods |

- | | |
|-----------------------|-------------------------|
| 137 Francis Brown | 189 D S Gordon |
| 138 John Wallis | 190 William E Bell |
| 139 Matthew McGregor | 191 Benj. L Qissey |
| 140 O G McDonald | 192 William G Wilkinson |
| 141 T F Brown | 193 Stephen Duncan |
| 142 Samuel Winston | 194 B R Morton |
| 143 John Sheler | 195 William Diment |
| 144 Simon Johnson | 196 Conner J Roger |
| 145 William Christy | 197 G J Cockrill |
| 146 M K Rennington | 198 H C Carr |
| 147 Erwin Timberlick | 199 H J Viveoa |
| 148 Abbott Grigg | 200 William Brent |
| 149 John Hasting | 201 Charles Pullons |
| 150 John Brasfield | 202 J J Winne |
| 151 Adam Brown | 203 J B Hunt |
| 152 James Spratt | 204 W Zebrisky |
| 153 J F Gregg | 205 Thomas Clemons |
| 154 John Dority | 206 N Vinson |
| 155 James B Moore | 207 Adison Berge |
| 156 Silas Gordon | 208 Rufus McCollins |
| 157 H J Sharp | 209 David Churchill |
| 158 William F Onan | 210 John Byrd |
| 159 J Hollingsworth | 211 John R Miller |
| 160 J C Collins | 212 Franklin Sprague |
| 161 Solon Sheperd | 213 Wilburn Christison |
| 162 George Quinby | 214 J T Moore |
| 163 Monner Byne | 215 Samuel Swisher |
| 164 James Luckey | 216 E B Jacks |
| 165 James E Kerr | 217 James Bruse |
| 166 Thomas Grigg | 218 Boston Brown |
| 167 Christopher Girr | 219 Wilson Fox |
| 168 James Perse | 220 Sylvester Lariny |
| 169 James Pitts | 221 John Bickett |
| 170 Jacob Pitts | 222 Frank Gordon |
| 171 James Mitchell | 223 John Blan |
| 172 Ek. Williams | 224 Hiram Mariner |
| 173 James L. Carter | 225 Timothy McLoy |
| 174 Walker Williams | 226 John Hall |
| 175 John W Johns | 227 Atalon Dority |
| 176 T Chevis | 228 T Fitzgerald |
| 177 J W Crag | 229 G Sprague |
| 178 J Walker | 230 M Moreland |
| 179 Willis Vance | 231 J P Long |
| 180 Mathew B Wilson | 232 L F Hollingsworth |
| 181 David McCollins | 233 T J Abshere |
| 182 William Mackey | 234 E W Weley |
| 183 T J Chives | 235 John E Pitt |
| 184 James Withers | 236 L P Stiles |
| 185 A Tilery | 237 Thomas Alvis |
| 186 John Adkins | 238 Richard Thompson |
| 187 H. Mayer | 239 John Broadhurst |
| 188 B C Hollingsworth | |

At an election, held at the house of William H. Spratt, in Kansas Territory, in the Town of Delaware, on the first Monday in October, A. D. 1855, the following men received the following votes:

J. W. Whitfield received 239.

G. B. REDMAN, WM. DICKEY, ALEXANDER BAKER,	}	<i>Judges of the election.</i>
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Attest:

JOHN R. MILLER, LEVI FERGUSON,	}	<i>Clerks of election.</i>
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WHITFIELD'S ELECTION, 1855.—POLL BOOK KICKAPOO TOWNSHIP, LEAVENWORTH COUNTY.

Poll book of an election held at the house of George W. Hayes, in the city of Kickapoo, in Kickapoo township, in the county of Leavenworth, in Kansas Territory, on the first Monday in October, A. D. 1855, for delegate in the Congress of the United States.

1 Joseph M Hall	28 Robert Foulkes
2 Charles B Morris	29 Bruel Glinn
3 Jesse Connel	30 William H Elliott
4 Robert Hayes	31 Andrew Stevens
5 Washington T Woods	32 Simon Hackett
6 H B C Harris	33 A J Dawson
7 Douglas Hamilton	34 Samuel M Bowman
8 A G Boyd	35 James S Thompson
9 William Hobbs	36 G W Thompson
10 John H Bradley	37 M M Nagle
11 George A Adams	38 Stephen Sale
12 J A C Webb	39 Israel Swan
13 A M Price	40 Samuel Hays
14 Thomas Ford	41 Samuel Ripey
15 F B Mitchel	42 Alvey Nower
16 John T Elkins	43 J R Duncan
17 Charles Sexton	44 John S Duncan
18 James Bragh	45 Levi Pense
19 Martin T Bailey	46 Mathew Gohagan
20 William Brahan	47 Marion Robertson
21 Levi Bowman	48 C A Stillman
22 William G Sharpo	49 Thomas McLano
23 E M McComas	50 Joseph Henderson
24 James J Musgrove	51 Isaac House
25 James H Hull	52 W H Cook
26 M A Owen	53 William Layson
27 W B Willson	54 James M Browning

55	Warren Culvert	104	James B Blake
56	A Bowlby	105	Phineas Skinner
57	James G Douglas	106	A J Snyder
58	Charles Whitscarver	107	John M Lockman
59	Benjamin Duncan	108	Peter Montgomery
60	Samuel H Frank	109	James Bradley
61	John H Lewis	110	John Groff
62	Aldridge Corder	111	B F Freeland
63	David Gillespie	112	D F Barker
64	G A Rucker	113	H C Branch
65	G W Hays	114	James A Henderson
66	John S Percival	115	Giles Henderson
67	W H Middleton	116	B K Jacobs
68	Turnan Geeter	117	H N Haley
69	A B Haggard	118	P Taylor
70	Alexander Ralston	119	E F Arnott
71	Jeremiah Stevens	120	E S Wilhite
72	John M Hays	121	P M Hodges
73	Lewis Calvert	122	E D Bishop
74	William Findley	123	William J Bailey
75	William Morpin	124	N W Hodges
76	Huekin Morpin	125	M P Berry
77	John W Freeland	126	Lewis Barnes
78	Milton Porterfield	127	William Thompson
79	J B Duncan	128	Robert W Thompson
80	Thomas Scott	129	William P Merchant
81	Jeptha Woodward	130	R S Merchant
82	John A Calvert	131	Samuel Doyle
83	R E Stallard	132	Sanford Leach *
84	J C Richardson	133	James M Calvert
85	S R Orfutt	134	William Newell
86	Porter Buchanan	135	William A Guthrie
87	J B Newman	136	Henry Boyse
88	John Freeland	137	Wiley Williams
89	Joshua Hall	138	B F Thompson
90	S F Rhea	139	Martin Sharpe
91	R B Mitchell	140	J W Foster
92	Curtis Huffman	141	John P Thompson
93	Thomas D Almond	142	F B Davidson
94	Isaac Fay	143	Henry Colman
95	John G Williams	144	Thomas Douglas
96	Enos Isaacs •	145	John McDaniel
97	William Traner	146	Meigs Hunt
98	Joseph Brooks	147	John W Stevens
99	S W Turner	148	John W Brown
100	D A N Grover	149	Christopher Kance
101	C B Hodges	150	Levi Scrivner
102	C H Grover	151	James Basket
103	Jonah Meddle	152	John H Sahler

The whole number of votes cast for delegate to Congress was one hundred and fifty-one (151,) of which John W. Whitfield received one hundred and fifty, and A. H. Reeder one, (1.)

We, the undersigned, judges of the election in Kickapoo election district, certify that the foregoing is a correct list of the votes given at an election held on the first day of October, A. D. 1855, as witness our hands this first day of October, A. D. 1855.

JOSEPH B. BLAKE,
CHARLES H. GROVER, } Judges.
C. B. HODGES,

Attest :

JOHN H. SAHLER, } Clerks of election.
MEIGS HUNT,

WYANDOTT TOWNSHIP, LEAVENWORTH COUNTY.

Poll book of an election held at the council-house in the Wyandott township, in the county of Leavenworth, in Kansas Territory, on the first Monday in October, A. D. 1854, for delegate in the thirty-fourth Congress of the United States.

1 L. M. Alexander,	40 T. C. Daniel,	79 John Tahumber,
2 Joseph F. Field,	41 G. P. Strong,	80 Michael Russell,
3 Leonard Brofield,	42 James A. Holloway,	81 Reuben Johnson,
4 Mace Rust,	43 R. S. Thomas,	82 Egbert Dickenson,
5 Abijah Withers,	44 O. G. Ford,	83 J. C. Gunter,
6 James Mitchell,	45 A. R. Murray,	84 Francis Gunter,
7 William Martin,	46 G. S. W. Jesse,	85 J. Bradley,
8 John B. Brown,	47 R. M. Russell,	86 James Davenport,
9 Thomas Boatwright,	48 John Griffith,	87 George Lock,
10 James H. Irwin,	49 James Endicott,	88 S. L. Suddeth,
11 B. F. Starks,	50 N. A. Thomason,	89 Thomas P. Shroch,
12 F. Evans,	51 J. S. Pense,	90 William O. Shrouse,
13 Granville Harvey,	52 John Collins,	91 J. C. Shrouse,
14 M. R. Gunter,	53 Lycastus Noland,	92 Jesse Puter,
15 William Boatwright,	54 William Wallace,	93 Robert Hudgens,
16 William P. Martin,	55 Zachariah Millroy,	94 A. M. Stell,
17 J. P. Somers,	56 Reyon Wilcoxson,	95 Harden Stell,
18 J. M. Prewitt,	57 Fitzhugh Collins,	96 Ira Suddeth,
19 William J. Stark,	58 John Brickly,	97 Henry Hanson,
20 Thomas West,	59 W. E. Brice,	98 Ebenezer Zane,
21 William P. Bailey,	60 William Mulkey,	99 B. W. Wills,
22 R. Fisher,	61 Joseph Ginnott,	100 Thomas Chandler,
23 Thomas Furman,	62 James Egbert,	101 J. L. Dickmandy,
24 Henry C. Furman,	63 Miller H. Wain,	102 John Smith,
25 J. Reynolds,	64 William Ransom,	103 W. J. Semmes,
26 Thomas Field,	65 John Ransom,	104 Beal Green,
27 Edward Garrett,	66 P. G. Brock,	105 R. L. Talbot,
28 Cyrus Garrett,	67 Andrew McConnel,	106 J. W. Green,
29 Isaac W. Brown,	68 Basil Trail,	107 James Johnson,
30 Peter D. Clark,	69 Fountain Walla,	108 E. M. Talbot,
31 Henry C. Norton,	70 Randolph J. Suddarth,	109 B. C. Talbot,
32 John F. Scott,	71 J. H. Williams,	110 Thomas J. Ford,
33 John D. Brown,	72 S. W. Tushman,	111 John Nash,
34 Joel Rice,	73 Colly Tushman,	112 James M. Holloway,
35 John C. Rice,	74 N. M. Talbot,	113 Samuel Alexander,
36 Jesse Thompson,	75 Richard Willis,	114 L. Shepperd,
37 Josiah Baker,	76 Edward Burk,	115 James McGee,
38 James Shary,	77 J. T. Willis,	116 Joseph M. Brown,
39 John T. Law,	78 Blaford Daniel,	117 William Falkner,

118 James M. Scott,	161 Riley Jones,	204 Isaac Munday,
119 Joseph Journey,	162 James Zane,	205 James Findlay,
120 Lemuel C. Mathews,	163 S. N. McKinney,	206 B. F. Robinson,
121 John W. Johnson,	164 John Williams,	207 George M. Irvin,
122 Lawrence Marge,	165 Silas Armstrong,	208 George C. McDaniel,
123 William Rutledge,	166 James B. Barrett,	209 Wm. Thorp,
124 Duval Payne,	167 Francis Potter,	210 M. R. Walker,
125 G. K. White,	168 Garraud Long,	211 George Steel,
126 Lewis Sharp,	169 Michael Stevens,	212 James M. Long,
127 W. H. Russell,	170 H. D. Woodsworth,	213 G. M. Thompson,
128 William Thompson,	171 M. J. P. Leonard,	214 Hiram Fugate,
129 Henry Garrett,	172 John Hansbrough,	215 Joseph Broadhurst,
130 Adam Brown,	173 William Barney,	216 Joseph Fenbron,
131 D. H. Webster,	174 J. Fitzland,	217 John Cotter,
132 David Johnson,	175 Alexander Compton,	218 Robert Armstrong,
133 William Cooper,	176 A. W. Keroy,	219 Isaih P. Walker,
134 G. H. Chissee,	177 T. M. Adams,	220 James Hicks,
135 Thomas Pitcher,	178 M. R. McMurry,	221 E. A. Long,
136 Joseph Ragan,	179 John W. Ladd,	222 Wm. Walker,
137 J. M. Thatcher,	180 D. V. Clement,	223 Isaac Driver,
138 J. F. Quick,	181 S. R. Stark,	224 Henry Chick,
139 Oscar Leruggs,	182 William Barnett,	225 J. C. Ramon,
140 J. S. Dawson,	183 B. B. Mills,	226 Joseph Peters,
141 Joseph Fugate,	184 Henry C. Long,	227 John Campbell,
142 Willis Wills,	185 A. J. Freedy,	228 John Groom,
143 J. P. Harz,	186 John D. Fennybacker,	229 Daniel A. Bladen,
144 Dawson Mashbone,	187 E. T. Buchman,	230 Lewis Ruthchild,
145 John Peyton,	188 Joel Walker,	231 Francis Blalmon,
146 Thos. W. Robinson,	189 George W. Williams,	232 M. Riddergurger,
147 John W. Cregbytes,	190 William E. Wheeler,	233 J. C. Pettigrew,
148 B. D. Castleman,	191 R. H. Hagner,	234 John Guralis,
149 Jackson Sison,	192 A. L. Bangs,	235 J. G. Gundson,
150 Walker Winn,	193 Robert Stone,	236 A. L. Bounds,
151 William A. Strong,	194 William Barbee,	237 Henry D. Smith,
152 E. M. McGee,	195 W. J. Osbourne,	238 Edm. O'Flaherty,
153 A. Smith,	196 Thomas Coonyhack,	239 Joel M. Garrett,
154 Ira Emmons,	197 John Barnett,	240 Wm. H. Ervin,
155 James Mathews,	198 Hiram Cotter,	241 James Gladden,
156 Samuel Rankens,	199 Samuel Priestly,	242 John S. Beardskin,
157 William J. White,	200 William Liptrap,	243 David Tarnall,
158 F. N. Steele,	201 Henry Schutte,	244 Isaac Z. Long,
159 William N. Taylor,	202 James Barnett,	245 H. M. Northup,
160 C. T. Henderson,	203 Charles B. Garrett,	246 Abraham Grandstaff,

We, the undersigned, judges of the election in Wyandott election district, on Monday, the 1st day of October, A. D. 1855, certify that 246 votes were cast, of which John W. Whitfield received 240, A. H. Reeder 5, blank 1.

W. J. OSBORN.
ISAAC MUNDAY,
CHARLES B. GARRETT, } *Judges.*

Attest:

JAMES FINDLAY, } *Clerks.*
JOHN T. SCOTT, }

We, the undersigned, judges of the election in Wyandott election district, certify that the foregoing is a correct list of the votes given at an election held on the 1st day of October, A. D. 1855, as witness our hands this 1st day of October, A. D. 1855.

W. J. OSBORN.
ISAAC MUNDAY,
CHARLES B. GARRETT, } *Judges.*

Attest:

JAMES FINDLAY, } *Clerks.*
JOHN T. SCOTT, }

Poll book of an election held at the house of Sutton & McClain, in Alexandria township, in the county of Leavenworth, in Kansas Territory, on the first Monday in October, A. D. 1855, for delegate in 34th Congress of the United States.

Names of voters.	Tax.	Names of voters.	Tax.
1. Carson Merrill.....	Note.....	22. M. Daniels.....	Not paid.
2. David Lorge	do.....	23. J. Thomas	do.....
3. Perry Trett.....	do.....	24. J. Roberts.....	Paid.....
4. John Morris.....	do.....	25. J. Gushawn.....	Not paid.
5. Clarke Trett.....	do.....	26. A. M. Horsey	do.....
6. G. M. Archer	do.....	27. Benjamin Stokes.....	do.....
7. R. M. Stone.....	do.....	28. W. C. Crocket	Paid.....
8. J. C. Scott	do.....	29. M. J. Everett.....	Not paid.
9. Mason Hall	do.....	30. W. F. Everett.....	do.....
10. Samuel H. Burgess.....	do.....	31. John Argebright.....	do.....
11. Mr. McClain.....	do.....	32. L. L. McClain.....	Paid.....
12. N. S. Davidson.....	Paid.....	33. Edward M. Lain.....	do.....
13. Joseph Dawson	Not paid.	34. C. C. Harrison.....	Not paid.
14. Henry Embray.....	do.....	35. A. Payne	Paid.....
15. A. J. Scott.....	Paid.....	36. J. B. Pancake	Not paid.
16. George Brown.....	do.....	37. James M. Scott.....	do.....
17. S. Weasley	Not paid.	38. Benjamin W. Foster	do.....
18. G. W. Browning	Paid.....	39. Houston Long	do.....
19. R. W. Chain.....	do.....	40. W. W. Reynolds.....	Paid.....
20. Thomas Hickman.....	Not paid.	41. E. M. Kennedy.....	do.....
21. R. Sutton	do.....	42. Joseph L. McAlear.....	do.....

For delegate to Congress.

Gen. J. W. Whitfield received 42 votes.
Squire Reeder received none.

We, the undersigned, judges of the election held at Alexandria, Leavenworth county, certify that the foregoing is a true and correct statement of the number of votes polled.

JAMES MACAULEY, }
EDWARD McCLAIN, } *Judges.*
R. W. CHINN, }

ED. M. KENNEDY, }
W. W. REYNALDS, } *Clerks.*

ALEXANDRIA, October 1, 1855.

We, the undersigned, judges of the election in Alexandria election district, certify that the foregoing is a correct list of the votes given at an election held on the first day of October, A. D. 1855, as witness our hands, this —— day of October, A. D. 1855.

JAMES MACAULEY, }
EDWARD McCLAIN, } *Judges.*
R. W. CHINN, }

Attest:

ED. M. KENNEDY, }
W. W. REYNALDS, } *Clerks of election.*

LYKINS COUNTY, KANSAS TERRITORY.

[John A. Hicks, H. S. Lyon, and Barnet Hall were sworn as judges, and William A. Heiskell and John Ralston as clerks, according to form of oath on page 1.]

At an election held on Monday, the first day of October, 1855, at the house of Baptiste Peoria, in the county of Lykins, in the Territory of Kansas, for the purpose of choosing a fit and proper person to represent the said Territory of Kansas as a delegate in the next Congress of the United States, the following is the result:

1 Tarleton Raleigh,	57 A. S. Pullain,	113 H. D. Palmer,
2 H. W. Childs,	58 J. H. Hammonds,	114 Achille Easley,
3 F. Maron,	59 M. Hodges,	115 F. R. Martin,
4 G. E. Bellows,	60 A. Young,	116 Henry Snyder,
5 B. R. Burbage,	61 John O. McFerran,	117 W. K. Wilmot,
6 J. S. Dedrich,	62 Joseph Johnson,	118 J. J. Holloway,
7 George W. Clarence,	63 George Whithead,	119 E. W. Clark,
8 J. L. New,	64 George D. Morrow,	120 W. Palmer,
9 John W. Early,	65 A. G. Fisher,	121 F. Arrhart,
10 E. Monroe,	66 G. W. Blodshoe,	122 G. A. Wade,
11 A. L. Tols,	67 David Brookhart,	123 Charles Hamilton,
12 W. P. Tocker,	68 William A. Gattrell,	124 Vincent Johnson,
13 Charles Keller,	69 James M. Shanks,	125 Henry Chapense,
14 H. Pennels,	70 Thomas Jacob,	126 Thomas Gilchrist,
15 J. B. Pemberton,	71 C. F. Payne,	127 Thomas Allison,
16 Samuel W. Williams,	72 S. Franklin,	128 John Vermillion,
17 L. C. Burr,	73 Joseph W. Easley,	129 John S. Jones,
18 M. W. Brown,	74 R. B. Fulkerson,	130 Lawrence Mahan,
19 W. W. Porter,	75 James S. Allender,	131 P. Kelly,
20 Elijah Chinn,	76 F. M. Scott,	132 W. T. Poston,
21 E. McPherson,	77 J. D. Bagby,	133 J. T. Chadwick,
22 Simon N. Hill,	78 C. C. Mann,	134 Marcus Gill,
23 James Mosley,	79 J. L. Duncan,	135 Stephen White,
24 James H. Calloway,	80 James Wade,	136 William H. Finley,
25 William D. Davenport,	81 R. W. Gattrell,	137 W. H. Lebow,
26 Simeon Blackburn,	82 H. L. F. Calloway,	138 Henry Lee Willers,
27 C. C. Catron,	83 G. Thomsom,	139 Cyrus Shaw,
28 John W. Houx,	84 A. M. Rader,	140 R. O. Slater,
29 J. C. Strange,	85 J. Greenway,	141 B. L. Clark,
30 G. Tucker,	86 W. B. Payne,	142 Samuel Ralston,
31 M. W. Lowry,	87 W. C. Clayton,	143 John Dorey,
32 R. W. Houx,	88 J. Goodman,	144 J. R. Jones,
33 John K. Lowry,	89 J. S. McKinney,	145 Robert S. Morris,
34 John Sorency,	90 W. Dodson,	146 Daniel Lykens,
35 John T. Rennick,	91 J. Hudspeth,	147 Baptiste Peoria,
36 Isaac Fulkerson,	92 J. F. Shortridge,	148 Luther Fashale,
37 William Sineu,	93 J. D. Nunsilly,	149 Lewis Pashale,
38 Robert Tarkinton,	94 James Beets,	150 Isaac Jacobs,
39 John Hooker,	95 H. C. Speers,	151 D. W. Tristoe,
40 W. Lewis,	96 James W. Caldwell,	152 Peter J. Fatus,
41 B. L. McFerrin,	97 J. B. Elje,	153 Peter Cloud,
42 J. C. Hearse,	98 R. Renfew,	154 Benjamin Benjamin,
43 H. Smith,	99 F. B. Rice,	155 White Coon,
44 W. D. Tocker,	100 Robert T. Ridings,	156 Kilscauh,
45 W. E. Franklin,	101 Jesse May,	157 Tom Rogers,
46 H. F. Birch,	102 E. R. Rice,	158 Billy,
47 J. G. Martin,	103 J. F. Catron,	159 Henry Clay,
48 E. C. Heiskell,	104 W. L. Wood,	160 Mug-a-num-ba,
49 A. C. Patton,	105 Thomas Ragsdale,	161 Andrew Chick,
50 J. B. McFerrin,	106 F. P. Hoard,	162 Charles Battiste,
51 N. Baker,	107 A. J. Robinson,	163 Chin-gum-ke-ab,
52 Tiller Ragan,	108 G. H. Faulkner,	164 John Willis,
53 H. L. Barkdale,	109 E. McDowell,	165 Wah-kah-kov-nah,
54 F. M. Green,	110 William H. Tannehill,	166 John Bull,
55 William Ragsdale,	111 A. P. Logan,	167 Sah-shah-h-kwan-gah,
56 L. Jones,	112 P. L. France,	168 Harry Coldwater,

169 George Clinton,	187 J. J. Apperson,	204 H. L. Lyon,
170 Kish-e-kon-sah,	188 A. M. Coffee,	205 Pah-to-kah,
171 Edward H. Black,	189 L. G. Fulton,	206 William Honeywell,
172 Wah-pah-kov-se-ah,	190 B. E. Brothers,	207 Thomas Cot,
173 Marcus Lindsay,	191 J. G. McDaniel,	208 George C. Baker,
174 David L. Beery,	192 Joseph Jebon,	209 John C. Paul,
175 Hiram Lightner,	193 James McHenry,	210 J. D. Redd,
176 Francis Valle,	194 Hampton Harbison,	211 John Boye,
177 James E. Tindall,	195 Sudwell Evans,	212 Sha-lou-lie,
178 J. R. McDaniel,	196 Joe Peoria,	213 Thomas C. Warren,
179 Joseph B. Goodwin,	197 J. H. Clayton,	214 William B. Ewbank,
180 John Beets,	198 Ma-kou-sah,	215 William Edwards,
181 J. B. Glover,	199 Ma-kou-sah, (Beaver,)	216 John Combs,
182 O. P. Thompson,	200 Tah-wah-kwa-ke-nau-	217 Hiram Mullins,
183 Thomas Peyton,	gah,	218 W. S. Ferguson,
184 James Wells,	201 B. P. Campbell,	219 A. H. McFadden,
185 Enos McDaniel,	202 William A. Heiskell,	220 John Mitchell.
186 William O. Park,	203 J. A. Hicks,	

We, the undersigned, judges of election in Lykins county, in the Territory of Kansas, certify that the foregoing is a correct list of the votes given at an election held at the house of Baptiste Peoria, on the first day of October, A. D. 1855, as witness our hands this first day of October, 1855.

JOHN A. HICKS,
BARNET HALL,
HENRY L. LYON, } *Judges of election.*

Attest:

WILLIAM A. HEISKELL, } *Clerks of election.*
JOHN RALSTON,

LYNN COUNTY.

1 C. S. Fleming,	24 P. Kay,	47 P. Bullinger,
2 R. E. Eliot,	25 W. A. Fleming,	48 V. Johnson,
3 E. Farnam,	26 J. E. Brown,	49 S. Baldwin,
4 William Rogers,	27 L. Thomas,	50 D. Baldwin,
5 S. H. Moore,	28 William King,	51 L. M. Ellett,
6 H. W. Younger,	29 J. G. Reynolds,	52 T. Crouse,
7 S. W. Hendersen,	30 M. Graves,	53 T. Hargus,
8 J. F. Stone,	31 W. Hibkerson,	54 B. Davis,
9 A. J. Smith,	32 James Murry,	55 W. Glass,
10 L. B. Clay,	33 J. C. Bowin,	56 L. C. Niswanger,
11 F. T. Glover,	34 G. Boulin,	57 P. Goodwin,
12 John Commins,	35 J. A. Becket,	58 H. Becket,
13 William James,	36 M. C. D. Osburn,	59 J. Argus,
14 R. Hargrave,	37 L. S. Bridgewater,	60 James Driskill,
15 James Glass,	38 J. D. Case,	61 William Driskill,
16 J. Harsham,	39 R. G. Smither,	62 James W. Howell,
17 W. G. Collins,	40 William Henceby,	63 L. H. Grimes,
18 W. V. English,	41 L. M. Love,	64 A. H. Smith,
19 Samuel Scott,	42 C. W. Haiges,	65 F. E. Means,
20 John Ballard,	43 J. M. Hamton,	66 Thomas Smith,
21 Thomas Thomas,	44 William Goodwin,	67 Joseph D. Wilmott.
22 J. B. Cobross,	45 A. Haiges,	
23 S. Fleming,	46 W. B. Long,	

We, the undersigned, judges and clerks of an election held on the first day of October, A. D. 1855, at the house of J. C. Bowin, in Lynn county, in Kansas Territory, in the fifth election district for the

election of delegate to Congress, do hereby certify upon our oaths, as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters.

For Congress.

J. W. Whitfield received sixty-seven, (67.)

A. H. SMITH,
F. E. MEANS,
THOMAS SMITH, } *Judges of election.*

JAS. D. WILMOTT, } *Clerks.*
F. H. GRIMES,

COUNCIL GROVE.—*Madison County.*

1 C. F. Gilman,	6 W. D. Harris,	11 A. J. Baker,
2 S. W. Rowe,	7 A. T. Hyder,	12 E. M. Sewel,
3 James Jebo,	8 F. M. Croley,	13 Jesse Ring,
4 T. S. Hamilton,	9 Samuel Farren,	14 J. W. Radcliff.
5 Allen Croley,	10 T. S. Huffaker,	

For J. W. Whitfield, 14 votes.

We, the undersigned, judges of the election in the eighth district, certify that the foregoing is a correct list of the votes given at an election held on the first day of October, in the year of our Lord one thousand eight hundred and fifty-five.

ALLEN CROWLEY,
EMANUEL MOSIA,
THOS. S. HAMILTON, } *Judges.*

Attest:

S. W. ROWE, } *Clerks of election.*
C. F. GILMAN,

MARYSVILLE.—*Marshall County.*

[No oath of judges and clerks given.]

POLL BOOK.

1 F. J. Marshall,	16 Wm. Standiford,	31 Wm. Hopkins,
2 John Thompson,	17 Archibald McElroy,	32 Benjamin Dickison.
3 Joel Hughes,	18 John Snagan,	33 Benjamin Konk,
4 Abraham Crahtrel,	19 B. J. Sharpe,	34 Charles Konk.
5 B. H. Clark,	20 J. T. Ransome,	35 John Konk,
6 Stephen G. Jones,	21 John Zion,	36 John M. Morrison,
7 J. S. Sheppard,	22 Jacob Crabtree,	37 Elijah Bishop,
8 John A. Newley,	23 Stephen F. Smith,	38 Elijah Hill.
9 Henry Tyler,	24 James T. Smith,	39 Preston Bishop,
10 Sampson Sage,	25 John Dittell,	40 Edward C. Adams.
11 Thomas Buckles,	26 Nace Edwards,	41 Burel Horkett,
12 A. X. Young,	27 Lee Jesse,	42 Samuel Sloan,
13 Skidmore Muncy,	28 James Edwards, sr.,	43 Peter Vandewenter.
14 James Gilbert,	29 James Edwards, jr.,	44 George Ely,
15 Francis O. Bishop,	30 James Hopkins,	45 Wm. Stubblefield,

46 John Carter,	88 Samuel Mercer,	130 Henry Harpe,
47 Solomon Jenkins,	89 A. S. Brown,	131 Philip Bridger,
48 David Young,	90 Hamilton Brown,	132 Joseph Domstan,
49 Francis C. Allen,	91 Thomas McBee,	133 Milton Farrier,
50 William Wilson,	92 John C. Owens,	134 John G. Breck,
51 John Kiniburled,	93 James Dawson,	135 David Domes,
52 Peter Lambert, sr.,	94 Henry Gearheart,	136 Nelson Woods,
53 Peter Lambert, jr.,	95 Thomas J. Batty,	137 Robert Webster,
54 Joseph Lambert,	96 Isaac Jerome,	138 John M. Brenton,
55 James Hix,	97 John Stone,	139 John Hardwick,
56 Nelson Preston,	98 John H. Dennison,	140 Newton F. Ford,
57 Jacob V. Fulkerson,	99 Thomas Colwell,	141 Aaron Caruthers,
58 P. Fulkerson,	100 John Jones, jr.,	142 Henry O. Boley,
59 Whitehill Fulkerson,	101 John Jones, sr.,	143 John W. Leax,
60 James Fulkerson,	102 Jeremiah Sweett,	144 William Baker,
61 Jacob Fulkerson,	103 Washington Berry,	145 Samuel Hargis,
62 Philip Nincan,	104 William McMullen,	146 Martin F. Carroll,
63 Joel Johnson,	105 David Wyse,	147 Thomas Fowler,
64 Lewis Brooks,	106 Morton F. Fisher,	148 Daniel B. Allen,
65 J. B. Henderson,	107 Lewis Church,	149 Archibald Hix,
66 George Styles,	108 Siras Woodson,	150 J. W. Curtis,
67 Morris Todd,	109 Moses Welbert,	151 Thomas Hamilton,
68 George Drake,	110 Jesse Holman,	152 David Rowland,
69 James Y. Jones,	111 William F. Chapman,	153 A. P. Craig,
70 Quetton Fregit,	112 Silas Burtman,	154 John Jesse,
71 Joseph Swagger,	113 Richard Kaine,	155 Oliver Tackett,
72 James Hanks,	114 Thomas J. Carter,	156 John Dunlap,
73 Joseph G. McGrand,	115 James Hinton,	157 Peter Rippetoe,
74 John J. Blue,	116 A. W. Hankins,	158 Carter Minter,
75 James Goodman,	117 Henry Nailer,	159 Cornwright Sharpe,
76 Wm. Spaulghan,	118 John Snyder,	160 Lane Kegwood,
77 James F. Cuppeheffer,	119 Thomas Moore,	161 John Curtly,
78 Israel Kurtz,	120 Sydney Douglass,	162 Adam Milans,
79 John Longmyre,	121 F. B. Browning,	163 David Underwood,
80 Jacob Hulster,	122 H. C. Cunningham,	164 Samuel Gibson,
81 Wm. M. Dudle,	123 John Doller,	165 John Harris,
82 John Bailey,	124 Syras Breedens,	166 Oliver Burtchell,
83 Henry Emmerson,	125 Thomas Kelley,	167 J. G. Clark,
84 F. L. Mitchell,	126 Henry Morton,	168 John D. Wells,
85 Willis Grimes,	127 John McMichael,	169 George F. Hubbard,
86 Willis Moody,	128 Peter Strong,	170 James Doniphan,
87 J. Folhert,	129 Henry McClain,	171 A. S. Clark.

At an election held at the town of Marysville, the county seat of Marshall county, General J. W. Whitfield received the following number of votes, to wit: one hundred and seventy-one for delegate to Congress from Kansas Territory, and Governor A. H. Reeder received for delegate to Congress for Kansas Territory *none*.

We, the undersigned, judges of the election district composed of the county of Marshall, certify that the foregoing is a correct list of the votes given at an election held on the 18th day of October, 1855, as witness our hands this 18th day of October, 1855.

O. BURTCHELL,
J. G. CLARK,
JOHN D. WELLS, } *Judges.*

Attest:

JAMES DONIPHAN,
GEORGE F. HUBBARD, } *Clerks of election.*

Poll book of Nemaha county, Kansas Territory, October 1, 1855.

VOTERS' NAMES.

- | | |
|-----------------------|-----------------------|
| 1. James E. Thompson, | 4. John Behn, |
| 2. T. A. B. Cramer, | 5. Cyrus Doleman, |
| 3. Samuel Cramer, | 6. William H. Harris. |

Delegate—General J. W. Whitfield, 6 votes.

We, the undersigned, judges of the election in Nemaha county election district, certify that the foregoing is a correct list of the votes given at an election held on the 1st day of October, 1855, as witness our hands this 1st day of October, A. D. 1855.

WILLIAM H. HARRIS,	} <i>Judges of election.</i>
THOS. R. NEWTON,	
HIRAM H. LANHAM,	

Attest:

CYRUS DOLEMAN,	} <i>Clerks of election.</i>
H. M. NEWTON,	

WHITFIELD'S ELECTION, OCTOBER 1, 1855.—POLL BOOK OF RILEY COUNTY,
FOR DELEGATE TO CONGRESS.

NAMES OF VOTERS.

C. Thompson,	J. S. Reynolds,	Robert Wade,
William Crampton,	P. Dixon,	G. F. Grinter,
J. B. Perry,	J. T. Chapman,	S. Dean,
C. R. Mobley,	J. W. Emery,	C. Lombard,
M. A. Garrett,	Peter Mills,	D. F. Tebbis,
R. D. Mobley,	G. M. Dyer,	Vanburen Hamilton,
Fox Booth,	F. G. Sonnamaker,	William R. Cram,
Thomas Reynolds,	G. Potect,	D. R. Perry,
Thomas Dixon,	R. Willson,	Ambrose Warren.
M. Hannigan,		

We, the undersigned, judges of the election held in Riley county, on October 1, 1855, for delegate to the United States Congress, do certify that J. W. Whitfield received twenty-eight votes. Given under our hands this first of October, 1855.

R. D. MOBLEY,
H. W. MARTIN,
J. S. REYNOLDS.

TECUMSEH, SHAWNEE COUNTY.

Owen C. Stewart, William A. Yager, and James M. Small, as judges of election, and Benjamin J. Newcom and William A. M. Vaughan, as clerks, were sworn according to form of oath on page 1.

LIST OF VOTERS.

1 T. N. Stinson,	19 G. B. Wood,	36 John C. Hawkins,
2 E. G. Vaughan,	20 J. M. Reed,	37 D. L. Croydale,
3 Thomas Ament,	21 W. P. Tuttle,	38 T. Terrill,
4 L. B. Stetler,	22 J. M. Herrin,	39 G. P. Hoff,
5 J. Mitchem,	23 Henry Hoping,	40 Jacob Tidebough,
6 Eli Hopkins,	24 W. H. Brady,	41 Thornton Strother,
7 Henry McConnell,	25 Richard S. Hunter,	42 C. L. Stevenson,
8 Josiah Foster,	26 D. Crockett Boggs,	43 W. D. Owen,
9 W. B. Cockerill,	27 William Gayham,	44 Edward Hoodland,
10 John Martin,	28 John C. Ager,	45 J. T. Hicklin,
11 A. G. Reed,	29 William Martiny,	46 John Millbup,
12 H. Dawson,	30 T. W. Hayes,	47 Wm. A. M. Vaughan,
13 J. W. Carmaugh,	31 Horatio Cox,	48 Benjamin J. Newsom,
14 J. T. Addoms,	32 Lucius Cary,	49 J. M. Small,
15 Isaac Renfro,	33 H. J. Strickler,	50 Owen C. Stewart,
16 James McConnell,	34 Charles Alexander,	51 W. O. Yager,
17 A. D. M. Hand,	35 Westley Boughton,	52 J. N. Campbell.
18 D. W. Hunter,		

Tally list for John W. Whitfield, 52 votes.

JUDGES' CERTIFICATE.

We, O. C. Stewart, W. O. Yager, and J. M. Small, the undersigned judges of the election in Tecumseh election district, certify that the foregoing is a correct list of the votes given at an election held on Monday, the first day of October, A. D. 1855, as witness our hands this first day of October, A. D. 1855.

OWEN C. STUART, }
JAMES M. SMALL, } *Judges.*
WM. O. YAGER. }

Attest:

BENJAMIN J. NEWSOM, }
WM. M. M. VAUGHAN, } *Clerks of election.*

SHAWNEE COUNTY.—One Hundred and Ten.

We, A. S. Holliman, W. Yocum, and T. B. McGee, do swear (or affirm) that we will impartially discharge the duties of judges of the present election, being an election for delegate to the thirty-fourth Congress of the United States, according to law and the best of our abilities. Sworn to and subscribed before me, September, A. D. 1855.

JOHN HORNER, *Sheriff of Shawnee County.*

Oath of Clerks.

We, F. M. McGee and William A. Stone, clerks of an election to be held this day for delegate to the thirty-fourth Congress of the United States, do swear (or affirm) that we will faithfully discharge the duties of clerks, according to law and the best of our abilities. Sworn to and subscribed before me, A. D. 1855.

F. M. McGEE,
W. A. STONE.

JOHN HORNER, *Sheriff of Shawnee County.*

J. W. WHITFIELD.

A. H. REEDER.

1 Mathew Rule	13 C A Linkmanger
2 John Skidmore	14 M W McGee
3 W P Akin	15 James Hoppess
4 John W Stone	16 William Yocum
5 Robert Johnson	17 A S Halliman
6 V Moore	18 John Horner
7 John Everling	19 F M McGee
8 Joseph Stone	20 W A Stone
9 J W Ward	21 T P McGee
10 A Prentice	22 C C Coats
11 James Akin	23 G M Redman
12 William Harris	

Number of votes given—23.

Judges' Certificate.

We, the undersigned, judges of the election in One Hundred and Ten election district, certify that the foregoing is a correct list of the votes given at an election held on Monday, the 1st day of October, A. D. 1855, as witness of our hands, this — day of October, 1855.

WILLIAM YOCUM, }
T. P. MCGEE, } *Judges.*
A. S. HOLLIMAN, }

Attest:

F. M. MCGEE, }
W. A. STONE, } *Clerks of election.*

OCTOBER 30, 1855.

The returns of the judges of the election held on the first Monday of October, in pursnance of law, for a delegate to the thirty-fourth Congress, being duly examined, and John W. Whitfield having received a majority of the legal votes polled, is declared by the governor to be duly elected, and a certificate of election by the governor, under the seal of the Territory, is accordingly issued to the said John W. Whitfield.

ELECTION OF OCTOBER 9, 1855, (OF REEDER.)

PATRICK LAUGHLIN testifies.

I have been to no free-soil elections, except those held last fall. I was at the election of the 9th of October last, and voted for Reeder. When at Lawrence, at the time I went to the 5th of September convention, I saw a great number of people in tents, who appeared not to be settled, but only appeared to be remaining for only a limited length of time. I had a conversation with some of them, who told me they were going to return to the States about the latter part of the fall. The public instructions of the executive committee, of which I have been speaking, are already published, but their private instructions were, in case pro-slavery men attempt to vote, and are likely to outnumber you, you can adjourn from day to day, and finally to any free-soil district in the Territory. These instructions were never given to the judges, but were given to me by Marcus J. Parrott. I never gave them to any one.

PAT. LAUGHLIN.

LEAVENWORTH CITY, K. T., *May 28, 1856.*

MARCUS J. PARROTT called and sworn.

To Governor King:

I am a resident of the Territory of Kansas. On the 30th of August I was at Kansas City, in Missouri, at the American hotel. Governor Reeder was then stopping there at that time. We sat up and conversed together about what was to be done there. At the same time I was on my way to another convention, to be held at Tecumseh on the 31st day of August. The object of that convention was to meet with persons who were desirous to organize the democratic party in the Territory. While we were together, Governor Reeder spoke about making some arrangements about going up himself to attend the convention at Big Springs. His trunks at that time were in the office at the hotel, which comprised, so far as I know, all the personal property he had in the Territory. He wanted to get a valise to take some clothes up into the Territory. He borrowed a valise of Major Eldredge, of the hotel, which was brought out in my presence, put into the buggy, and he left before I did. I overtook him in company with Judge Johnson at the Shawnee Mission. We both started out on the road at night, and we separated at Donaldson, where Governor Reeder tarried all night, but Judge Johnson and myself drove on all night for Tecumseh. I did not see Reeder again until two or three days afterwards, at Lawrence, and then had some conversation with him concerning his being a candidate of the Big Spring convention for delegate to Congress. The impression left upon my mind was, that unless he became a candidate he was going to leave the Territory.

Afterwards, on the first day of the convention, I think, there was a good deal said about his not being a resident of the Territory. I was myself of that opinion, and, in order to determine exactly about that matter, I agreed with Colonel Lane and some others to call him out and ask him the question. I did call him out and ask him if he was a resident of the Territory. He stated, in reply to that, something about the reason he did not bring his family here, as that was the ground of complaint generally here. He did not answer the question directly at all, but answered it argumentatively, by stating some things in connexion with his position in the Territory. I do not recollect that he satisfied the persons who had been called there to hear his answer to the question. I know that some of them were not satisfied that he was a resident of the Territory. Colonel Lane and myself afterwards spoke of it, and neither of us were satisfied with the answer he gave to the question. Since that time I have never known him to have any visible domicile or residence in the Territory. In the conversation at Lawrence, he spoke of a claim that he thought he would buy, if his wife liked it, but his wife and family were not, and never have been, in the Territory, and were understood to be in Pennsylvania.

To Mr. Sherman:

Colonel Lane was spoken of as a candidate. I was in favor of Judge Johnson. I never heard any one speak of Colonel Lane being a candidate but himself. Reeder was nominated without a vote, and by acclamation.

To Governor King:

My objection to Governor Reeder was on account of some resolutions which he had with him at Kansas City, and written by him, and adopted at the Big Spring convention, which provided for the election of delegate to Congress being held on a different day from that provided by the territorial law; and also to other resolutions written by him, which looked to a repudiation of the laws by force. I objected to this latter part in public in the convention. I saw resolutions, called miscellaneous resolutions, which were in Governor Reeder's handwriting.

MARCUS J. PARROTT.

LEAVENWORTH CITY, K. T., *May* 28, 1856.

CHARLES BLAKELEY called and sworn.

By Governor King:

I reside at Iowa Point township, Doniphan county, Kansas Territory, and have resided there since about July last. This is the place of voting for that township. There was no election held at that place on the 9th of October last, and no poll opened, and no vote cast for anybody, it being the day of election fixed by the Big Spring convention for the election of a delegate to Congress, and at which elec-

tion Governor Reeder was a candidate. Just after the election, I saw in the "Herald of Freedom" newspaper, published at Lawrence, a publication purporting to give the returns of election in each precinct, or place of voting in the Territory, and among others it was reported that seventy-two or seventy-three votes has been cast at the Iowa Point precinct, which was not true, as no vote was at that place, as I have stated above.

To Mr. Sherman :

I do not know whether or not the judges adjourned the election to some other time, as I never attended any of the elections under the executive committee. I was at the place that the county commissioners fixed, under the territorial law, for holding the elections, but I do not know where the elections were held under the executive committee. They held no election in that township, but I understood that they held an election about seven miles from Iowa Point, the place fixed by the county commissioners. I was not present, and do not know what was done there. The place, I believe, was not in that township. The election I speak of was held at the house of Mr. McCall, near Lloyd Ashley's.

To Governor King :

The vote I saw published in the "Herald of Freedom" purported to be taken at the Iowa Point precinct. If any vote for that township was taken at that election, it must have been taken at some point outside of the township, and I know of no reason why the people of that district, if they chose to vote, should not have held their election in the township, and at the place fixed for voting in the Iowa Point township precinct. We never had any trouble or difficulties at that place about who should or should not vote. No judges of election met on that day at Iowa Point and adjourned to any other place, either in or out of the township.

CHARLES BLAKELEY.

LEAVENWORTH CITY, K. T., *May* 29, 1856.

JAMES DAVIS recalled.

To Mr. Mathias :

In a conversation that Governor Reeder had with me, when he was here in April, 1856, he remarked that the congressional nomination had been given to him without his desire or wishes at all ; that previous to that time he had packed his trunks, and was about to leave the Territory to return to Pennsylvania. He did not say he did not regard himself as a resident of the Territory at that time. I have heard him say he had a family, and that he never had it in the Territory.

JAMES DAVIS.

LEAVENWORTH CITY, K. T., *May* 31, 1856.

WILLIAM Y. ROBERTS called and sworn.

Examined by the committee:

I arrived at my present location on the first day of April, 1855. I live a mile and a half east of Big Springs.

I was chairman of the convention at Topeka, to take into consideration the propriety of forming a State government, and also a member of the convention to form a State constitution. I was elected lieutenant-governor under the State constitution. I was familiar with all the steps taken to form the State government, except the meeting at Lawrence of the 15th of August. I canvassed a portion of the Territory, in favor of the State movement. I always regarded and treated the movement in my speeches, in canvassing prior to the election, as a movement of the people, without reference to party distinctions, and as the best mode to relieve themselves of their present difficulties, and settle the vexed question of free or slave State. The movement was sanctioned by a very large majority of the people who were residents of the Territory.

I have carefully examined the testimony of George W. Deitzler touching the steps taken to form the State government, and from my own knowledge know that he is correct, except in regard to the Lawrence meeting of the 15th of August, 1855, which I did not attend. The proceedings of that meeting were published, and meetings of a similar kind were held over the Territory, and upon their action was based the Topeka convention.

W. Y. ROBERTS.

LAWRENCE, K. T., May 13, 1856.

GEORGE W. DEITZLER recalled.

Examined by the Committee:

After the invasion of the 30th of March, 1855, the first general movement of the people of the Territory was to call a meeting and draw up a memorial to be circulated for signatures, to be sent to the Congress of the United States. This memorial was drawn up, circulated, signed, and sent to Washington City. The paper herewith attached, marked "A," is a copy of that memorial.

During the summer of 1855 there was a great deal of discussion over the Territory generally, and several meetings were held in different parts of the Territory in relation to holding a convention to form a State government, and to apply for admission into the Union as a State. Public opinion gradually settled down in favor of such application to be made to the Congress to meet in December, 1855.

The first general meeting was held in Lawrence, in pursuance of a call signed by many citizens, on the 15th of August, 1855, the proceedings of which meeting were published. I was present at the meeting, and the paper herewith attached is, I believe, a correct copy of those proceedings.

STATE CONSTITUTION.

LAWRENCE, K. T., *August 15, 1855.*

Pursuant to a published call, signed "many citizens," "to take into consideration the propriety of calling a Territorial convention, preliminary to the formation of a State government, and other subjects of public interest," a convention of the citizens of Kansas Territory, *irrespective of party*, met, and upon motion of C. K. Holliday, Dr. A. Hunting was called to the chair; G. W. Brown, E. D. Ladd, C. E. Blood, L. P. Lincoln, James Christian, and Dr. J. D. Barnes, elected vice presidents; and J. K. Goodin and J. P. Fox, secretaries.

On motion of J. Hutchinson, esq., a committee of five were appointed to prepare business for the convention. Messrs. G. W. Smith, C. K. Holliday, C. Robinson, John Brown, jr., and A. F. Powell, were chosen that committee.

During the absence of the committee the convention was addressed by Rev. Lovejoy, G. W. Brown, J. Hutchinson, and M. F. Conway. After which, Mr. G. W. Smith, chairman, submitted the following as the report of the committee:

Whereas the people of Kansas Territory have been, since its settlement, and now are, without any law-making power; therefore be it—

Resolved, That we, the people of Kansas Territory, in mass meeting assembled, irrespective of party distinctions, influenced by a common necessity, and greatly desirous of promoting the common good, do hereby call upon and request all *bona fide* citizens of Kansas Territory, of whatever political views or predilections, to consult together in their respective election districts, and in mass convention or otherwise elect three delegates for each representative to which such district is entitled in the house of representatives of the legislative assembly, by proclamation of Governor Reeder, of date 10th March, 1855. Said delegates to assemble in convention at the town of Topeka, on the 19th day of September, 1855, then and there to consider and determine upon all subjects of public interest, and *particularly* upon that having reference to the speedy formation of a State constitution, with an intention of an immediate application to be admitted as a State into the Union of the "United States of America."

After the discussion of the resolution by Mr. Stearnes and others, the report of the committee was adopted with but *one* dissenting voice.

On motion it was ordered that the proceedings of this convention be published in the newspapers of the Territory, and Messrs. J. Speer, R. G. Elliott, and G. W. Brown were appointed a committee to publish and circulate the call for the convention to be held at Topeka.

On motion, the convention adjourned *sine die*.

A. HUNTING, *President*.

G. W. BROWN,	} <i>Vice Presidents.</i>
E. D. LADD,	
E. E. BLOOD,	
L. D. LINCOLN,	
JAMES CHRISTIAN,	
J. D. BARNES,	

J. K. GOODIN,	} <i>Secretaries.</i>
J. P. FOX,	

After this meeting at Lawrence, there were other meetings in different parts of the Territory, which endorsed the action of that meeting, and delegates were accordingly selected.

In compliance with the recommendation of that meeting, a delegate convention was held at Topeka, the 19th and 20th of September, 1855. The proceedings of that meeting were published generally in the papers of the Territory, and the annexed paper is a true copy of those proceedings.

*Proceedings of the State Constitutional Convention, held at Topeka
Kansas Territory, September 19 and 20, 1855.*

The delegate convention of the people of Kansas, to consider the expediency of the formation of a State government, with a view to application to Congress, at its next session, for admission as a State, met at Topeka on the 19th of September.

At 11 o'clock, a. m., the convention was called to order by G. W. Smith, esq., of the first district, and was temporarily organized by the choice of Erastus D. Ladd, of Lawrence, chairman, and C. K. Holliday, of Topeka, secretary.

On motion a committee to report officers for the permanent organization of the convention was appointed, consisting of the following persons:

G. W. Smith, A. Curtiss, W. Y. Roberts, J. F. Brannan, Joseph Hays.

On motion of Judge Wakefield a committee on credentials was chosen, of the following persons:

J. K. Goodin, J. A. Wakefield, A. M. Jordan, S. Mewhinney, Hamilton Smith, Thos. J. Addis, P. C. Schuyler, J. H. Nesbitt, L. P. Lincoln.

The convention adjourned to half past one o'clock, p. m.

The convention re-assembled at 2 o'clock.

The committee on credentials reported the following as members of the convention.

Delegates from first district.—G. W. Smith, E. D. Ladd, G. W. Deitzler, S. C. Smith, J. K. Goodin, G. W. Brown, John Speer, M. Hunt, J. H. Lane.

Second district.—Robert Buffman, J. A. Wakefield, David Buffman, D. Vancil, A. Curtiss, N. Allguyer.

Third district.—W. Y. Roberts, C. K. Holliday, A. M. Jordan.

Fourth district.—Samuel Workman, Amos Hanna, Samuel Mewhinney.

Fifth and Sixth districts.—Hamilton Smith, James F. Brannan, Thos. J. Addis.

Seventh district.—P. C. Schuyler, J. D. Wood.

Eighth district.—J. H. Nesbitt, S. R. Jenkins.

Tenth district.—L. P. Lincoln, Joseph Hays.

Thirteenth district.—J. B. Chapman, T. Jenner, Richard Murphy.

Sixteenth district.—Marcus J. Parrott, C. M. Moore, R. H. Phelan, M. W. Delahay, S. N. Latta.

The report was adopted.

The committee on the permanent organization of the convention reported as follows: for—

President.—W. Y. Roberts.

Vice-presidents.—J. A. Wakefield, P. C. Schuyler, L. P. Lincoln, J. K. Goodin, S. N. Latta, R. H. Phelan.

Secretaries.—K. D. Ladd, J. H. Nesbitt, M. W. Delahay.

The report was adopted, and the officers elected took their seats.

On motion, it was—

Resolved, That parliamentary rules be the rules of this convention.

On motion of G. W. Smith, a committee of fifteen members was elected to prepare business for the convention, as follows:

G. W. Smith, Samuel Mewhinney, J. A. Wakefield, C. K. Holliday, P. P. Lincoln, Hamilton Smith, J. H. Nesbitt, T. J. Addis, Thomas Jenner, J. B. Chapman, H. Miles Moore, Marcus J. Parrott, G. W. Deitzler, P. C. Schuyler, J. D. Wood.

The convention adjourned until the committee were ready to report.

The convention was called to order, and the committee on business, through G. W. Smith, chairman, submitted a report, which was, on motion, received.

The convention adjourned to 9 o'clock to-morrow morning.

September 20, 9 o'clock, a. m.

The convention was called to order by the president.

On motion of Col. Lane, the report of the business committee was re-committed to said committee, with instructions to report blank times for the holding of the election, and the meeting of the convention, and number of delegates to said convention.

Col. Lane moved the following resolution, which was adopted:

Resolved, That a committee, consisting of eighteen members, be appointed, one from each election district, as far as the said districts are represented in this convention, and when said districts are exhausted, from those actually in attendance at this convention, the balance be raised and clothed with full power to write, print, and circulate an address to the people of this Territory, and to the civilized world, setting forth our greivances, and the policy we have been compelled to adopt, and which we have determined at all hazards to carry out.

On motion, leave of absence was granted to the business committee.

The convention took a recess of ten minutes. On re-assembling the chair appointed the following as the Committee on Address, authorized by the resolution of Col. Lane:

J. H. Lane, Hamilton Smith, P. C. Schuyler, H. Miles Moore, J. S. Emery, A. M. Jordan, M. W. Delahay, E. D. Ladd, G. W. Deitzler, J. A. Wakefield, Samuel C. Smith, Thomas J. Addis, J. H. Nesbitt, L. P. Lincoln, John Speer, G. W. Brown, S. N. Latta, James Pierce.

The business committee made a report, which was accepted; and the convention adjourned to half-past one o'clock, p. m.

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At two o'clock the convention was called to order by the president, and on motion the report of the business committee was taken up, and after discussion and amendment was adopted unanimously, as follows:

Whereas, the Constitution of the United States guarantees to the people of this republic the right of assembling together in a peaceable manner for their common good, to "establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity;" and whereas, the citizens of Kansas Territory were prevented from electing members of a legislative assembly, in pursuance of the proclamation of Gov. Reeder, on the 30th of March last, by invading forces from foreign States coming into the Territory and forcing upon the people a legislature of non-residents and others, inimical to the interests of the people of Kansas Territory, defeating the object of the organic act, in consequence of which the territorial government became a perfect failure, and the people were left without any legal government, until their patience has become exhausted, and "endurance ceases to be a virtue;" and they are compelled to resort to the only remedy left—that of forming a government for themselves.

Therefore, resolved, by the people of Kansas Territory, in delegate convention assembled, That an election shall be held in the several election precincts of this Territory on the second Tuesday of October next, under the regulations and restrictions hereinafter imposed, for members of a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government, preparatory to the admission of Kansas into the Union as a State.

Resolved, That the apportionment of delegates to said convention shall be as follows: Two delegates for each representative to which the people were entitled in the legislative assembly, by proclamation of Governor Reeder, of date 10th March, 1855.

Resolved, That a committee of seven be appointed by the chair, who shall organize by the appointment of a chairman and secretary. They shall keep a record of their proceedings, and shall have the general superintendence of the affairs of the Territory so far as regards the organization of a State government, which committee shall be styled "The Executive Committee of Kansas Territory."

Resolved, That it shall be the duty of the executive committee of Kansas Territory to advertise said election at least fifteen days before the second Tuesday of October next; and to appoint three judges thereof for each precinct, and the said judges of each precinct shall appoint two clerks, all of whom shall be duly sworn or affirmed to discharge the duties of their respective offices impartially and with fidelity; and they shall have power to administer the oath or affirmation to each other, and the said judges shall open said election at 10 o'clock, a. m., at the place designated in each precinct by the said executive committee, and close the same at 4 o'clock, p. m. And in case any of the officers appointed fail to attend, the officer or officers in attendance shall supply the vacancy or vacancies; and in the event of all of them failing to attend, ten qualified voters shall supply their places. And the said judges shall make out duplicate returns

of said election, seal up and transmit one copy of the same within five days to the chairman of the executive committee, to be laid before the convention; and they shall, within ten days, seal up and hand the other to some member of the executive committee.

Resolved, That the chairman of the executive committee of Kansas Territory shall announce, by proclamation, the names of the persons elected delegates to said convention; and in case the returns from any precinct should not be completed by that day, as soon thereafter as practicable, and in case of a tie, a new election shall be ordered by the executive committee, giving five days' notice thereof, by the same officers who officiated at the first election.

Resolved, That all white male inhabitants, citizens of the United States, above the age of twenty-one years, who have had a *bona fide* residence in the Territory of Kansas for the space of thirty days immediately preceding the day of said election, shall be entitled to vote for delegates to said convention, and all white male inhabitants, citizens of the United States, above the age of twenty-one years, who have resided in the Territory of Kansas for the space of three months immediately preceding the day of election, shall be eligible as delegates to said convention.

Resolved, That if, at the time of holding said election, it shall be inconvenient, on account of Indian hostilities, or any other cause whatever, that would disturb or prevent the voters of any election precinct in the Territory from the free and peaceable exercise of the elective franchise, the officers are hereby authorized to adjourn said election into any other precinct in the Territory, and to any other day they may see proper, of the necessity of which they shall be the exclusive judges, at which time and place the qualified voters may cast their votes.

Resolved, That said convention shall be held at Topeka on the fourth Tuesday of October next, at 12 o'clock, m., of that day.

Resolved, That a majority of said convention shall constitute a quorum, and that the said convention shall determine upon the returns and qualifications of its members, and shall have and exercise all the rights, privileges, and immunities incident to such bodies, and may adopt such rules and regulations for its government as a majority thereof may direct. If a majority of said convention do not assemble on the day appointed therefor, a less number is hereby authorized to adjourn from day to day.

Resolved, That in case of the death, resignation, or non-attendance of any delegate chosen from any district of the Territory, the president of the convention shall issue his writ ordering a new election, on five days' notice, to be conducted as heretofore directed.

Resolved, That no person shall be entitled to a seat in the convention at its organization except the members whose names are contained in the proclamation of the chairman of the executive committee. But after the convention is organized seats may be contested in the usual way.

Resolved, That the members of the convention shall receive as a compensation for their services the sum of three dollars per day, and three dollars for every twenty miles travel to and from the same, and

that Congress be respectfully requested to appropriate a sufficient sum to defray the necessary expenses of said convention.

Resolved, That on the adoption of a constitution for the State of Kansas, the President of the convention shall transmit an authenticated copy thereof to the President of the United States, to the President of the Senate, and to the Speaker of the House of Representatives; to each member of Congress, and to the governor of each of the several States of the Union, and adopt such other measures as will secure to the people of Kansas the rights and privileges of a sovereign State.

On motion, the committee on address was vested with authority to notify the people of the several districts of the Territory of the coming election, by handbills, public addresses, and otherwise, as they may think proper.

The territorial executive committee was appointed by the chair, consisting of the following persons: J. H. Lane, C. K. Holliday, M. J. Parrott, P. C. Schuyler, G. W. Smith, G. W. Brown, and J. K. Goodin.

On motion, the proceedings of this convention were ordered to be published in all the papers of the Territory.

A vote of thanks was passed to the president and officers of the convention. Adjourned with three enthusiastic cheers for the new government of Kansas.

WM. Y. ROBERTS,
President.

E. D. LADD,
J. H. NESBIT,
M. W. DELAHAY,
Secretaries.

The executive committee appointed by that convention, of which Colonel James H. Lane was chairman, and J. K. Goodin secretary, accepted their appointment and entered upon the discharge of their duties, and issued a proclamation in accordance with the instructions of that convention. The following is a copy of that proclamation issued by them:

CONSTITUTIONAL CONVENTION.

PROCLAMATION.

To the legal voters of Kansas:

Whereas, the territorial government, as now constituted for Kansas, has proved a failure; squatter sovereignty, under its workings, a miserable delusion; in proof of which it is only necessary to refer to our past history and our present deplorable condition. Our ballot boxes have been taken possession of by bands of armed men from foreign States; our people forcibly driven therefrom; persons attempted to be foisted upon us as members of a so-called legislature, unacquainted with our wants, and hostile to our best interests, some of them never residents of our Territory, misnamed laws passed, and

now attempted to be enforced by the aid of citizens of foreign States of the most oppressive, tyrannical, and insulting character; the right of suffrage taken from us, debarred from the privilege of a voice in the election of even the most insignificant officers, the right of free speech stifled, the muzzling of the press attempted; and, whereas, longer forbearance with such oppression and tyranny has ceased to be a virtue; and, whereas, the people of this country have heretofore exercised the right of changing their form of government when it became oppressive, and have at all times conceded this right to the people in this and all other governments; and, whereas, a territorial form of government is unknown to the Constitution, and is the mere creature of necessity, awaiting the action of the people; and, whereas, the debasing character of the slavery which now involves us impels to action, and leaves us, as the only legal and peaceful alternative, the immediate establishment of a State government; and, whereas, the organic act fails in pointing out the course to be adopted in an emergency like ours: therefore, you are requested to meet at your several precincts in said Territory hereinafter mentioned, on the second Tuesday of October next, it being the ninth day of said month, and then and there cast your ballots for members of a convention, to meet at Topeka on the fourth Tuesday in October next to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government, preparatory to the admission of Kansas into the Union as a State.

PLACES FOR POLLS.

First election district.—Lawrence precinct, at the office of John Hutchinson, in Lawrence. Blanton precinct, at the house of J. B. Abbott, in Blanton. Palmyra precinct, at the house of H. Burricklow, in Palmyra. Wakarusa river the dividing line between the two precincts.

Second election district.—Bloomington precinct, house of Harrison Burson on the Wakarusa. Benicia precinct, house of J. J. Cramer, east Douglas.

Third election district.—Topeka precinct, house of F. W. Giles, Topeka. Big Spring precinct, at the house of Wesley Frost, in Washington. Tecumseh precinct, at the house of Mr. Hoogland, in Tecumseh.

Fourth election district.—Willow Springs precinct, at the house of Dr. Chapman, on the Santa Fé road, Springfield.

Fifth election district.—Bull Creek precinct, at the house of Baptiste Peoria, on Pottawatomie creek. Pottawatomie precinct, at the house of Henry Sherman. Ossawatomie precinct, at the house of William Hughes, in Ossawatomie. Big Sugar Creek precinct, at the house of Elijah Tucker, at old Pottawatomie mission. Little Sugar Creek precinct, at the house of Isaac Stockton. Neosho precinct, at the store of Hamilton Smith, in Neosho. Hampden precinct, at the house of W. A. Ela, in Hampden.

Sixth election district.—Fort Scott precinct, at the house of Mr. John-

son, or a suitable building in Fort Scott. Scott's Turn precinct, at the house of Mr. Vandever.

Seventh election district.—Titus precinct, at the house of J. B. Titus, on the Santa Fé road.

Eighth election district.—Council Grove precinct, at Council Grove mission-house. Waubousa precinct, at some suitable building in Waubousa. Mill Creek precinct, at the house of Mr. Adams, in Ashland.

Ninth Election District.—Pawnee precinct, at Loder & Shaw's store, in Pawnee.

Tenth Election District.—Big Blue precinct, at the house of S. D. Dyer, in Juniatta. Rock Creek precinct, at the house of Robert Wilson.

Eleventh Election District.—Vermillion precinct, at the house of John Schmidt, on Vermillion branch of Blue river.

Twelfth Election District.—St. Mary's precinct, at the house of R. F. Bertrand. Silver Lake precinct, at the house of Joseph Leframbois.

Thirteenth Election District.—Hickory Point precinct, at the house of Charles Hardt. Falls precinct, at the house of the "Mill Company," at Grasshopper Falls.

Fourteenth Election District.—Burr Oak precinct, at the house of Benjamin Harding. Doniphan precinct, (including part of the fifteenth district, to Walnut creek,) at the house of Dr. G. A. Cutler, in Doniphan. Wolf river precinct, at the house of Aaron Lewis.

Fifteenth Election District.—Walnut Creek precinct, (south of Walnut creek,) at the house of Charles Hays, on military road.

Sixteenth Election District.—Leavenworth precinct, at the store of Thomas Doyle, in Leavenworth city. Easton precinct, at the house of Thomas A. Maynard, on Stranger creek. Wyandott precinct, at the council house, in Wyandott city. Ridge precinct, at the house of William Pennoek.

Seventeenth Election District.—Mission precinct, at the Baptist mission building. Wakarusa precinct, at the store of Paschal Fish.

Eighteenth Election District.—California precinct, at the house of W. W. Moore, on the St. Joseph's and California road.

Instructions to judges of election.

The three judges will provide for each poll ballot boxes for depositing the ballots cast by electors; shall appoint two clerks, all of whom shall be sworn, or affirmed, to discharge the duties of their respective offices impartially and with fidelity; and the judges and clerks shall have power to administer the oath or affirmation to each other; and the said judges shall open said election at 10 o'clock, a. m., at the place designated in each precinct by the executive committee of Kansas Territory, and close the same at 4 o'clock, p. m. In case any of the officers appointed fail to attend, the officer or officers in attendance shall supply their places. And the said judges shall make out duplicate returns of said election, seal up and transmit one copy of the same, within five days, to the chairman of the executive committee, to be laid before the convention, and they shall within ten

days seal up and hand the other to some member of the said executive committee. If at the time of holding said election it shall be inconvenient, on account of Indian hostilities, or any other cause whatever that would disturb or prevent the voters of any election precinct in the Territory from the free and peaceable exercise of the elective franchise, the officers are hereby authorized to adjourn said election into any other precinct in the Territory, and to any other day they may see proper, of the necessity of which they shall be the exclusive judges, at which time and place the qualified voters may cast their votes.

Qualifications of voters, &c.

All white male inhabitants, citizens of the United States, or who have declared their intentions before the proper authorities to become such, above the age of twenty-one years, who have had a *bona fide* residence in the Territory for the space of thirty days immediately preceding the day of the said election, shall be entitled to vote for delegates to said convention, and all white male inhabitants, citizens of the United States, above the age of twenty-one years, who have had a *bona fide* residence in the Territory of Kansas for the space of three months immediately preceding the day of election, shall be eligible as delegates to said convention.

Apportionment.

The apportionment of delegates to said convention shall be as follows: two delegates for each representative district the people were entitled to in the legislative assembly by proclamation of Governor Reeder, of date of 10th of March, 1855.

It is confidently believed that the people of Kansas are fully alive to the importance of the step they are about to take, in disenthraling themselves from the slavery which is now fettering them; and the *squatters of Kansas* are earnestly requested to be at their several polls on the day above designated. See that there be no illegal votes cast, and that every ballot received be in accordance with your choice for delegate to the constitutional convention, and have all the regulations and restrictions carried out.

The plan proposed in the proclamation to govern you in the election has been adopted after mature deliberation, and if adhered to by you, will result in establishing in Kansas an independent government that will be admitted into our beloved Union as a sovereign State, securing to our people the liberty they have heretofore enjoyed, and which has been so ruthlessly wrested from them by reckless invaders.

By order of the executive committee of Kansas Territory.

J. H. LANE, *Chairman.*

J. K. GOODIN, *Secretary.*

After the above proclamation was issued, public meetings were held in every district in the Territory, and in nearly every precinct. I think, and speeches were made, and it became a general topic of discussion throughout the Territory. But little opposition was exhibited

in any portion of the Territory towards the State movement. Large posters were sent out in advance of these meetings, and stuck up all over the Territory, stating the object of the meeting, and the names of those who were expected to address the people. Some of those meetings I attended myself. At a very large meeting here in Lawrence, when the vote was taken upon that question, there was but one dissenting voice. Poll books, ballots and tally lists were prepared under the direction of the executive committee, and sent to all the precincts; and the election, in all respects, so far as I understand it, was conducted according to the organic law of the Territory. The following is the call circulated in the form of posters and sent throughout the Territory:

"To the electors of Kansas Territory: You are hereby notified that an election will be held in the several election precincts of this Territory, on the second Tuesday, the 9th of October next, for members of a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government, preparatory to the admission of Kansas into the Union as a State.

"By order of the executive committee of Kansas Territory.

"J. H. LANE, *Chairman*.

"J. K. GOODIN, *Secretary*.

"SEPTEMBER 22, 1855."

Three judges were appointed for each election precinct. The election was held at the time appointed, and the returns were brought in to the chairman of the executive committee, and left with the secretary of that committee. That committee then issued their proclamation of the result of the election, of which the following, here inserted, is a copy:

ELECTION PROCLAMATION.

By the authority vested in me by the people of Kansas Territory, and pursuant to the instructions of the convention held at Topeka, K. T., on the 19th ultimo, "for the purpose of taking into consideration the expediency of forming a constitution, with the intention of an immediate application for the admission of Kansas into the Union as a State," as chairman of the executive committee of Kansas Territory, I do hereby make public and proclaim, that from the returns received and on file in this office, it doth appear that the following named persons have, by the legal voters of Kansas Territory, been elected delegates to a convention to be assembled in Topeka, on the 23d day of October, 1855, at 12 o'clock, m., from the several districts set opposite their names, to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government preparatory to the admission of Kansas as a State into the Union.

First representative district.—Samuel McWhinney, Wm. Graham.

Second representative district.—G. W. Smith, J. H. Lane, J. K. Goodin, C. Robinson, J. S. Emery, Morris Hunt.

Third representative district.—J. A. Wakefield, A. Custis, J. M. Tilton, H. Berson.

Fourth representative district.—C. K. Holliday, W. Y. Roberts.

Fifth representative district.—P. C. Schuyler, J. H. Pillsbury.

Sixth representative district.—James Phenix, Dr. — Burgess, N. Vandever.

In this district W. R. Griffith, John Hamilton, A. W. J. Brown, and W. Sanders have each a tie vote. The returns from Fort Scott have not yet come in.

Seventh representative district.—W. T. Turner, James McArthur, W. T. Morris, O. C. Brown, Richard Knight, F. Brown, H. Smith, W. G. Nichols.

Eighth representative district.—Robert Klotz, A. Hunting.

Ninth representative district.—M. F. Conway, J. G. Thompson.

Tenth representative district.—George Hillyer, J. Whitney.

Fourteenth representative district.—Robert Riddle, M. J. Parrott, Matt. France, S. M. Latta, D. Dodge, M. H. Delahay.

Eleventh representative district.—G. A. Cutler, John Landis, C. W. Stewart, D. W. Field.

Twelfth representative district.—Composed of Burr Oak precinct, fourteenth election district, whole of eighteenth, and small part of fifteenth election district, which voted at Doniphan. [This district is entitled to four delegates. Returns have been received from Burr Oak precinct; but the votes were cast for the delegates in the eleventh district above. As no delegates have been elected for this district, an immediate election will be called for that purpose.]

Thirteenth representative district.—R. H. Crosby, Caleb May, Sanford McDaniel, James S. Layle.

Done at the office of the executive committee of Kansas Territory, this 16th day of October, A. D. 1885.

J. H. LANE, *Chairman*.

J. K. GOODIN, *Secretary*.

The constitutional convention assembled at Topeka, 23d of October, 1855, and framed a constitution to be submitted to the people, of which the following, herein inserted, is a true copy :

CONSTITUTION OF THE STATE OF KANSAS.

PREAMBLE :

WE, the people of the Territory of Kansas, by our delegates in convention assembled at Topeka, on the 23d day of October, A. D. 1855, and of the independence of the United States the eightieth year, having the right of admission into the Union as one of the United States of America, consistent with the federal Constitution, and by virtue of the treaty of cession by France to the United States of the province of Louisiana, in order to secure to ourselves and our posterity the enjoyment of all the rights of life, liberty, and property, and the free pursuits of happiness, do mutually agree with each other to form ourselves into a free and independent State, by the name and style of the STATE OF KANSAS, bounded as follows ; to wit : Beginning at a point on the western boundary of the State of Missouri where the

thirty-seventh parallel of north latitude crosses the same; thence west on said parallel to the eastern boundary of New Mexico; thence north on said boundary to latitude thirty-eight; thence following said boundary westward to the eastern boundary of the Territory of Utah on the summit of the Rocky Mountains; thence northward on said summit, to the fortieth parallel of latitude; thence east on said parallel to the western boundary of the State of Missouri; thence south with the western boundary of said State to the place of beginning; and do ordain and establish the following CONSTITUTION and BILL OF RIGHTS for the government thereof:

BILL OF RIGHTS.—ARTICLE I.

SEC. 1. All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and seeking and obtaining happiness and safety.

SEC. 2. All political power is inherent in the PEOPLE. Government is instituted for their equal protection and benefit; and they have the right to alter, reform, or abolish the same whenever they may deem it necessary; and no special privileges or immunities shall ever be granted that may not be altered, revoked, or repealed by the general assembly.

SEC. 3. The people have the right to assemble together, in a peaceable manner, to consult for their common good, to instruct their representatives, and to petition the general assembly for the redress of grievances.

SEC. 4. The people have the right to bear arms for their defence and security; but standing armies, in time of peace, are dangerous to liberty, and shall not be kept up; and the military shall be kept in strict subordination to the civil power.

SEC. 5. The right of trial by jury shall be inviolate.

SEC. 6. There shall be no slavery in this State, nor involuntary servitude, unless for the punishment of crime.

SEC. 7. All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience. No person shall be compelled to attend, erect, or support any place of worship, or maintain any form of worship against his consent; and no preference shall be given by law to any religious society; nor shall any interference with the rights of conscience be permitted. No religious test shall be required as a qualification for office, nor shall any person be incompetent to be a witness on account of his religious belief; but nothing herein shall be construed to dispense with oaths and affirmations. Religion, morality and knowledge, however, being essential to good government, it shall be the duty of the general assembly to pass suitable laws to protect every religious denomination in the peaceable enjoyment of its own mode of public worship, and to encourage schools, and the means of instruction.

SEC. 8. The privilege of the writ of *habeas corpus* shall not be suspended, unless, in cases of rebellion or invasion, the public safety requires it.

SEC. 9. All persons shall be bailable by sufficient sureties, unless for capital offences where the proof is evident, or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

SEC. 10. Except in cases of impeachment, and cases arising in the army and navy, or in the militia, when in actual service, in time of war or public danger, and in cases of petit larceny and other inferior offences, no person shall be held to answer for a capital or otherwise infamous crime, unless on presentment, or indictment of a grand jury. In any trial in any court, the party accused shall be allowed to appear and defend in person, and with counsel, to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process to procure the attendance of witnesses in his behalf, and a speedy public trial, by an impartial jury of the county or district in which the offence is alleged to have been committed; nor shall any person be compelled, in any criminal case, to be a witness against himself, or be twice put in jeopardy for the same offence.

SEC. 11. Every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of the right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. In all criminal prosecutions or indictments for libel, the truth may be given in evidence to the jury, and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted.

SEC. 12. No person shall be transported out of the State for any offence committed within the same; and no conviction shall work corruption of blood, or forfeiture of estate.

SEC. 13. No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor in time of war, except in a manner prescribed by law.

SEC. 14. The right of the people to be secure in their persons, houses, papers and possessions against unreasonable searches and seizures shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, particularly describing the place to be searched, and the persons and things to be seized.

SEC. 15. No person shall be imprisoned for debt in any civil action, or mesne or final process, unless in case of fraud.

SEC. 16. All courts shall be open; and every person, for an injury done him in his land, goods, person, or reputation, shall have remedy by due course of law, and justice administered without denial or delay.

SEC. 17. No hereditary emoluments, honors, or privileges shall ever be granted or conferred by this State.

SEC. 18. No power of suspending laws shall ever be exercised, except by the general assembly.

SEC. 19. The payment of a tax shall not be a qualification for exercising the right of suffrage.

SEC. 20. Private property shall ever be held inviolate, but subservient to the public welfare. When taken in time of war, or other public exigency, imperatively requiring its immediate seizure, or for the

purpose of making or repairing roads, which shall be open to the public use, without toll or other charge therefor, a compensation shall be made to the owner in money; and in all other cases, where private property shall be taken for public use, a compensation therefor shall first be made in money, or first secured by a deposit of money, and such compensation shall be assessed by a jury, without deduction for benefits to any property of the owner.

SEC. 21. No indenture of any negro, or mulatto, made and executed out of the bounds of the State, shall be valid within the State.

SEC. 22. This enumeration of rights shall not be construed to impair or deny others retained by the people; and all powers not herein delegated shall remain with the people.

ELECTIVE FRANCHISE.—ARTICLE II.

SEC. 1. In all elections by the people, the vote shall be by ballot, and in all elections in the general assembly the vote shall be *viva voce*.

SEC. 2. Every white male person, and every civilized male Indian who has adopted the habits of the white man, of the age of twenty-one years and upward, who shall be at the time of offering to vote a citizen of the United States; who shall have resided, and had his habitation, domicile, home, and place of permanent abode in the State of Kansas, for six months next preceding the election at which he offers to vote; who, at such time, and for thirty days immediately preceding said time, shall have had his actual habitation, domicile, home, and place of permanent abode in the county in which he offers to vote, and who shall have resided in the precinct or election district for at least ten days immediately preceding the election, shall be deemed a qualified elector at all elections under this constitution, except in elections by general ticket in the State or district prescribed by law, in which case the elector must have the aforesaid qualifications, but a residence in said district for ten days will entitle him to vote: *Provided*, That no soldier, seaman or marine of the regular army or navy of the United States shall be considered a resident of the State in consequence of being stationed within the same.

SEC. 3. The general assembly shall, at its first session, provide for the registration of all qualified electors in each county, and thereafter, from time to time, of all who may become qualified electors.

SEC. 4. The legislature shall have power to exclude from every office of honor, trust or profit within the State, and from the right of suffrage, all persons convicted of any infamous crime.

SEC. 5. No person shall be deemed capable of holding or being elected to any post of honor, profit, trust or emolument, civil or military, or exercise the right of suffrage under the government of this State, who shall hereafter fight a duel, send or accept a challenge to fight a duel, or who shall be a second to either party, or who shall in any manner aid or assist in such duel, or who shall be knowingly the bearer of such challenge or acceptance, whether the same occur, or be committed in or out of the State.

SEC. 6. No person who may hereafter be collector or holder of public moneys shall be eligible to any office of trust or profit in the State,

until he shall have accounted for and paid into the proper public treasury all sums for which he may be accountable.

SEC. 7. No State officer or member of the general assembly of this State shall receive a fee, be engaged as council, agent, or attorney in any case or claim against the State.

SEC. 8. No senator or representative shall, during the term of office for which he shall have been elected, be appointed to any civil office of profit in this State which shall have been created, or the emoluments of which shall have been increased during such term, except such offices as may be filled by election by the people.

SEC. 9. All officers, civil and military, in this State, before they enter upon the duties of their respective offices, shall take the following oath, or affirmation: "I ———, do swear [or affirm,] that I will support the Constitution of the United States, and of the State of Kansas; that I am duly qualified according to the constitution to exercise the office to which I have been elected, [or appointed,] and will, to the best of my abilities, discharge the duties thereof faithfully and impartially, according to law."

SEC. 10. Every person shall be disqualified from holding any office of honor or profit in this State who shall have been convicted of having given or offered any bribe to procure his election, or who shall have made use of any undue influence from power, tumult, or other improper practices.

SEC. 11. All civil officers of the State shall reside within the State, and all district and county officers within their respective districts and counties, and shall have their offices at such places therein as may be required by law.

SEC. 12. Returns of elections for members of Congress, the general assembly, and all other officers not otherwise provided for, shall be made to the Secretary of State, in such manner as may be prescribed by law.

SEC. 13. Electors shall in all cases be privileged from arrest during their attendance on elections, and in going to and returning therefrom, except in case of felony, treason, and breach of the peace.

DISTRIBUTION OF POWERS.—ARTICLE III.

SEC. 1. The powers of the government shall be divided into three separate departments: the legislative, the executive, including the administrative and the judicial; and no person charged with official duties under one of these departments shall exercise any of the functions of another, except as in this constitution expressly provided.

LEGISLATIVE.—ARTICLE IV.

SEC. 1. The legislative power of this State shall be vested in the general assembly, which shall consist of a senate and house of representatives.

SEC. 2. The senators and representatives shall be chosen annually by the qualified electors of the respective counties, or district, for which they are chosen on the first Monday of August, for one year, and their term of office shall commence on the first day of January next thereafter.

SEC. 3. There shall be elected at the first election twenty senators and sixty representatives, and the number afterwards shall be regulated by law.

SEC. 4. No person shall be eligible to the office of senator or representative who shall not possess the qualifications of an elector.

SEC. 5. No person holding office under the authority of the United States, or any lucrative office under the authority of this State, shall be eligible to, or have a seat in the general assembly; but this provision shall not extend to township officers, justices of the peace, notaries public, postmasters, or officers of the militia.

SEC. 6. Each house, except as otherwise provided in this constitution, shall choose its own officers, determine its own rule of proceeding, punish its members for disorderly conduct, and with the concurrence of two-thirds expel a member, but not the second time for the same cause; and shall judge of the qualification, election and return of its own members, and shall have all other powers necessary for its safety and the undisturbed transaction of business.

SEC. 7. Each house shall keep a journal of its proceedings and publish the same. The yeas and nays on any question shall, at the request of two members, be entered on the journal.

SEC. 8. Any member of either house shall have the right to protest against any act or resolution thereof; and such protest, and reason therefor, shall, without alteration, commitment, or delay, be entered on the journal.

SEC. 9. All vacancies which may occur in either house shall, for the unexpired term, be filled by election as shall be prescribed by law.

SEC. 10. Senators and representatives shall, in all cases except treason, felony or breach of the peace, be privileged from arrest during the session of the general assembly, and in going to and returning from the same; and for words spoken in debate they shall not be questioned in any other place.

SEC. 11. A majority of all the members elected to each house shall be necessary to pass every bill or joint resolution, and all bills and joint resolutions so passed shall be signed by the presiding officers of the respective houses and presented to the governor for his approval.

SEC. 12. The doors of each house, and of committees of the whole, shall be kept open. Neither house shall, without the consent of the other, adjourn for more than two days, nor to any other place than that in which the two houses shall be sitting, except for personal safety.

SEC. 13. Every bill shall be read by sections on three several days in each house; unless in case of emergency. Two-thirds of the house where such bill is pending may, if deemed expedient, suspend the rule on a call of the yeas and nays; but the reading of a bill by sections, on its final passage, shall in no case be dispensed with; and the vote on the passage of every bill or joint resolution shall be taken by yeas and nays.

SEC. 14. Every act shall contain but one subject, which shall be clearly expressed in its title. Bills may originate in either house, but may be altered, amended or rejected by the other.

SEC. 15. In all cases when a general law can be made applicable, special laws shall not be enacted.

SEC. 16. No act shall ever be revived or amended by mere reference to its title; but the act revived or the section amended shall be set forth and published at full length.

SEC. 17. No act shall take effect until the same shall have been published and circulated in the counties of the State, by authority, except in case of emergency, which emergency shall be declared in the preamble or the body of the law.

SEC. 18. The election and appointment of all officers, and the filling of all vacancies, not otherwise provided for by this constitution or the Constitution of the United States, shall be made in such manner as shall be prescribed by law; but no appointing power shall be exercised by the general assembly, except as provided in this constitution, and in the election of the United States senator, and in these cases the vote shall be taken *viva voce*.

SEC. 19. The general assembly shall not have power to enact laws annulling the contract of marriage in any case where by law the courts of this State may have power to decree a divorce.

SEC. 20. The general assembly shall not have power to pass retro-active laws, or laws impairing the obligation of contracts; but may, by general laws, authorize courts to carry into effect, upon such terms as shall be just and equitable, the manifest intention of parties and officers, by curing omissions, defects, and errors in instruments, and proceedings arising out of a want of conformity with the laws of this State.

SEC. 21. The style of the laws of this State shall be, "*Be it enacted by the general assembly of the State of Kansas.*"

SEC. 22. The house of representatives shall have the sole power of impeachment. All impeachments shall be tried by the Senate, and when sitting for the purpose the senators shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of all the senators present.

SEC. 23. The governor and all other civil officers under the laws of this State shall be liable to impeachment for any misdemeanor in office, but judgment in such cases shall not extend further than to removal from office, and disqualification to hold any office of honor, profit, or trust, under this State. The party, whether convicted or acquitted, shall nevertheless be liable to indictment, trial, judgment, and punishment according to law.

SEC. 24. Within one year after the ratification of this constitution, and within every subsequent two years thereafter, for the term of ten years, an enumeration of all the white inhabitants of this State shall be made in such manner as shall be directed by law.

SEC. 25. All regular sessions of the general assembly shall be held at the capital of the State, and shall commence on the first Tuesday of January, annually.

SEC. 26. All bills for raising revenue shall originate in the house of representatives, subject, however, to amendment or rejection as in other cases.

SEC. 27. The members of the general assembly shall receive for their services the sum of four dollars per day for each and every day they are actually in attendance at any regular or special session, and

four dollars for every twenty miles they shall travel in going to and returning from the place of meeting, by the most usually travelled route; and no session of the general assembly, except the first under this constitution, shall extend beyond the term of sixty days, nor any special session more than forty days.

EXECUTIVE.—ARTICLE V.

SEC. 1. The executive department shall consist of a governor, a lieutenant governor, secretary of state, treasurer, auditor, and attorney general, who shall be chosen by the electors of the State at the same time and place of voting for the members of the general assembly.

SEC. 2. The governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, and state printer, shall hold their office for two years. Their terms of office shall commence on the first Tuesday of January next after their election, and continue until their successors are elected and qualified, neither of which officers shall be eligible for re-election more than two out of three consecutive terms; nor shall any person be eligible for the office of governor who shall not have attained the age of thirty years.

SEC. 3. The returns of every election for the officers named in the foregoing section shall be sealed up and transmitted to the seat of government by the returning officers, directed to the secretary of state, who shall lay the same before the general assembly at their first meeting thereafter, when they shall open, publish, and declare the result thereof, in the presence of a majority of the members of both houses. The person having the highest number of votes shall be declared duly elected, and a certificate thereof given to such person, signed by the presiding officers of both bodies; but if any two or more shall be highest and equal in votes for the same office, one of them shall be chosen by the joint vote of both houses.

SEC. 4. The supreme executive power shall be vested in a governor.

SEC. 5. He may require information in writing from the officers in the executive department upon any subject relating to the duties of their respective offices, and shall see that the laws are faithfully executed.

SEC. 6. He shall communicate at every session, by message to the general assembly, the condition of the affairs of the State, and recommend such measures as he shall deem expedient for their action.

SEC. 7. He may on extraordinary occasions convene the general assembly by proclamation, and shall state to both houses, when assembled, the purposes for which they were convened.

SEC. 8. In case of disagreement between the two houses in respect to the time of adjournment, he shall have power to adjourn the general assembly to such time as he may think proper, but not beyond the regular meetings thereof.

SEC. 9. He shall be commander-in-chief of the military in the State, except when they shall be called into the service of the United States.

SEC. 10. The pardoning power shall be vested in the governor, under such regulations and restrictions as may be prescribed by law.

SEC. 11. There shall be a seal of the State, the device of which shall

be fixed upon by the governor and other State officers, be kept by the governor and used by him officially, and shall be called "*the great seal of the State of Kansas.*"

SEC. 12. All grants and commissions shall be used in the name and by the authority of the State of Kansas, sealed with the great seal, signed by the governor, and countersigned by the secretary of state.

SEC. 13. No member of either house of Congress or other persons holding office under the authority of this State, or of the United States, shall execute the office of governor except as herein provided.

SEC. 14. In the case of death, impeachment, resignation, removal or other disability of the governor, the lieutenant governor shall exercise the duties of the office of governor, until another governor shall be duly qualified; but in such case another governor shall be chosen at the next annual election for members of the general assembly, unless such death, resignation, impeachment, removal or other disability shall occur within three calendar months immediately preceding such next annual election, in which case a governor shall be chosen at the second succeeding annual election for members of the general assembly, and in case of the death, impeachment, resignation, removal, or other disability of the lieutenant governor, the president of the senate *pro tem.* shall exercise the office of governor until a governor shall be duly qualified as aforesaid.

SEC. 15. The lieutenant governor shall be president of the senate, but shall vote only when the senate is equally divided, and shall be entitled to the same pay as the speaker of the house of representatives, and in case of his death, impeachment, resignation, removal from office, or when he shall exercise the office of governor, the senate shall chose a president *pro tem.*

SEC. 16. Should the office of secretary of state, treasurer, auditor, or attorney general become vacant, for any of the causes specified in the fourteenth and fifteenth sections, the governor shall fill the vacancy or vacancies until the disability is removed or a successor is elected and qualified. Every such vacancy shall be filled by election, at the first general election that occurs more than thirty days after such vacancy shall have occurred, and the person chosen shall hold the office for the full term fixed in the second section of this article.

SEC. 17. The officers mentioned in this article shall, at stated times, receive for their services compensation to be fixed by law, which shall neither be increased or diminished during the period for which they shall have been elected.

SEC. 18. The officers of the executive department, and of the public State institutions, shall, at least ten days preceding each regular session of the general assembly, severally report to the governor, who shall transmit the same to the general assembly.

SEC. 19. Every bill which shall have passed both houses shall be presented to the governor. If he approve, he shall sign the same, but if he shall not approve, he shall return it with his objections to the house in which it shall have originated, who shall enter the objections at large upon the journal, and proceed to reconsider the same. If, after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, with the objections, to the other house,

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by which likewise it shall be reconsidered, and if approved by two-thirds of that house it shall be a law. But in such case, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for or against the bill shall be entered upon the journals of each house respectively. If any bill shall not be returned by the governor within five days (Sunday excepted) after it shall have been presented to him, it shall be a law, in like manner as if he had signed it, unless the general assembly, by their adjournment, prevented its return, in which case it shall also be a law, unless sent back within two days after the next meeting.

SEC. 20. Contested elections for governor, lieutenant governor, judges of the supreme court, and all other State officers, shall be determined by the general assembly, in such manner as may be prescribed by law.

SEC. 21. The general assembly shall have power to provide by law for the election of a surveyor general, State geologist and superintendent of common schools, whose duties shall be prescribed by law.

JUDICIAL.—ARTICLE VI.

SEC. 1. The judicial power of the State shall be vested in a supreme court, courts of common pleas, justices of the peace, and in such other courts inferior to the supreme court as the general assembly may establish.

SEC. 2. The supreme court shall consist of three judges, a majority of whom shall form a quorum. It shall have such original and appellate jurisdiction as may be provided by law. It shall hold at least one term each year at the seat of government, and such other terms as may be provided by law. The judges of the supreme court shall be elected by the electors of the State at large.

SEC. 3. The State shall be divided by the first general assembly, under this constitution, into three common pleas districts of compact territory, bounded by county lines, and as nearly equal in population as practicable; and a judge for each district shall be chosen by the electors thereof, and their term of office shall be for three years.

SEC. 4. The courts of common pleas shall consist of one judge each, who shall reside within the district for which he is chosen during his continuance in office.

SEC. 5. The jurisdiction of the court of common pleas, and of the judges thereof, shall be fixed by law.

SEC. 6. A competent number of justices of the peace shall be elected by the electors in each township of several counties. The term of office shall be three years, and their powers and duties shall be fixed by law.

SEC. 7. All judges, other than those provided for in the constitution, shall be elected by the electors of the judicial district for which they may be created, but not for a longer term of office than three years.

SEC. 8. The judges of the supreme court shall, immediately after the first election under this constitution, be classified by lot, so that one shall hold for the term of one year, one for the term of two years, and one for the term of three years; and all subsequent elections the term of each of said judges shall be for three years.

SEC. 9. In case the office of any judge shall become vacant before the expiration of the term for which he was elected, the vacancy shall be filled by appointment by the governor, until a successor shall be elected and qualified; and such successor shall be elected for the residue of the unexpired term at the first annual election that occurs more than thirty days after such vacancy shall have happened.

SEC. 10. The judges of the supreme court and of the court of common pleas shall, at stated times, receive such compensation as may be provided by law, which shall not be increased or diminished during their term of office; but they shall receive no fees or perquisites, nor hold any other office of profit and trust under the State, other than a judicial office.

SEC. 11. The general assembly may increase or diminish the number of the judges of the supreme court, the number of the districts of the courts of common pleas, the number of judges in any district, or establish other courts, whenever two thirds of the members elected to each house shall concur therein; but no such change, addition, or diminution shall vacate the office of any judge.

SEC. 12. There shall be elected in each county, by the electors thereof, one clerk of the court of common pleas, who shall hold his office for the term of three years, and until his successor shall be elected and qualified.

SEC. 13. The general assembly shall provide, by law, for the speedy publication of the decisions of the supreme court made under this constitution.

SEC. 14. The supreme court shall, upon the decision of every case, give an opinion, in writing, of each question arising in the record in such case, and the decision of the court thereon.

SEC. 15. There shall be elected by the voters of the State a clerk and a reporter for the supreme court, who shall hold their offices for three years, and whose duties shall be prescribed by law.

SEC. 16. Judges may be removed from office by concurrent resolution of both houses of the general assembly if two thirds of the members elected to each house concur therein; but no such removal shall be made except upon complaint, the substance of which shall be entered upon the journal, nor until the party charged shall have had notice thereof and an opportunity to be heard.

SEC. 17. The several judges of the supreme court, of the court of common pleas, and of such other courts as may be created by law, shall respectively have and exercise such power and jurisdiction at chambers or otherwise as may be provided by law.

SEC. 18. The style of all process shall be "the State of Kansas." All prosecutions shall be carried on in the name and by the authority of the State of Kansas; and all indictments shall conclude, "against the peace and dignity of the State of Kansas."

EDUCATION.—ARTICLE VII.

SEC. 1. The principal of all funds arising from the sale or other disposition of lands or other property granted or entrusted to this State for educational and religious purposes, shall forever be preserved

inviolable and undiminished, and the income arising therefrom shall be faithfully applied to the specific objects of the original grants or appropriations.

SEC. 2. The general assembly shall make such provision, by taxation or otherwise, as, with the income arising from the school trust fund, will secure a thorough and efficient system of common schools throughout the State; but no religious or other sect or sects shall ever have any exclusive right to, or control of, any part of the school funds of this State.

SEC. 3. The general assembly may take measures for the establishment of a university, with such branches as the public convenience may hereafter demand, for the promotion of literature, the arts, science, medical and agricultural instruction.

SEC. 4. Provision may be made by law for the support of normal schools, with suitable libraries and scientific apparatus.

PUBLIC INSTITUTIONS.—ARTICLE VIII.

SEC. 1. It shall be the duty of the general assembly, at as early a date as possible, to provide State asylums for the benefit, treatment, and instruction of the blind, deaf and dumb, and insane.

SEC. 2. The general assembly shall make provision for the establishment of an asylum for idiots, to be regulated by law.

SEC. 3. The respective counties of the State shall provide, in some suitable manner, for those inhabitants who, by reason of age, infirmity, or other misfortune, may have claims upon the sympathy and aid of society, under provisions to be made by the laws of the general assembly.

SEC. 4. The general assembly shall make provision for the establishment of houses of refuge for the correction, reform, and instruction of juvenile offenders.

SEC. 5. It shall be the duty of the general assembly to make provision, as soon as possible, for a State general hospital.

PUBLIC DEBT AND PUBLIC WORKS.—ARTICLE IX.

SEC. 1. No money shall be paid out of the treasury except in pursuance of an appropriation by law.

SEC. 2. The credit of the State shall never be given or loaned in aid of any individual association or corporation.

SEC. 3. For the purpose of defraying extraordinary expenditures, the State may contract public debts, but such debts shall never in the aggregate exceed one hundred thousand dollars, unless authorized by a direct vote of the people at a general election. Every such debt shall be authorized by law, and every such law shall provide for the payment of the annual interest of such debt, and the principal within ten years from the passage of such law; and such appropriation shall not be repealed until the principal and interest shall have been wholly paid.

SEC. 4. The legislature may also borrow money to repel invasion, suppress insurrection, or defend the State in time of war; but the

money thus raised shall be applied exclusively to the object for which the loan was authorized, or repayment of the debts thereby created.

SEC. 5. No scrip, certificate, or other evidence of State debt whatever shall be except for such debts as are authorized by the third and fourth sections of this article.

MILITIA.—ARTICLE X.

SECTION 1. The militia shall consist of all able-bodied white male persons between the ages of eighteen and forty years, except such as may be exempt by the laws of the United States or of this State, and shall be organized, officered, armed, equipped, and trained in such manner as may be provided by law.

SEC. 2. The governor shall appoint the adjutant, quartermaster, and commissary generals.

SEC. 3. All militia officers shall be commissioned by the governor, and shall hold their offices not longer than three years.

SEC. 4. The general assembly shall determine the method of dividing the militia into divisions, brigades, regiments, battalions, and companies, and fix the rank of all officers.

SEC. 5. The militia may be divided into classes, in such manner as shall be prescribed by law.

SEC. 6. No person conscientiously opposed to bearing arms shall be compelled to do militia duty, but such person shall pay an equivalent for such exemption, the amount to be prescribed by law.

SEC. 7. The first general assembly shall offer inducements for the formation, uniforming, and drilling independent volunteer companies in the different cities and counties of this State.

FINANCE AND TAXATION.—ARTICLE XI.

SECTION 1. The general assembly shall provide by law for a uniform and equal rate of assessment and taxation, and taxes shall be levied upon all such property, real and personal, as the general assembly may from time to time prescribe; but all property appropriated and used exclusively for municipal, literary, educational, scientific, or charitable purposes, and personal property to an amount not exceeding one hundred dollars for each head of a family, and all property appropriated and used exclusively for religious purposes, to an amount not exceeding \$200,000, may, by general laws, be exempted from taxation.

SEC. 2. The general assembly shall provide by law for an annual tax sufficient to defray the estimated ordinary expenses of the State for each year.

SEC. 3. Every law imposing a tax shall state distinctly the object of the same to which it shall be applied.

SEC. 4. On the passage in either house of the general assembly of any law which imposes, continues, or renews a tax, or makes, continues, or renews an appropriation of public or trust money, or releases, discharges, or commutes a claim or demand of the State, the question shall be taken by yeas and nays, which shall be duly entered

on the journal; and three-fifths of all the members elected to such house shall in all such cases be required to constitute a quorum.

COUNTY AND TOWNSHIP OFFICERS.—ARTICLE XII.

SECTION 1. The general assembly shall provide by law for the election of county, city, town, and township officers.

SEC. 2. All officers whose election or appointment is not provided for by this constitution shall be elected by the people, or appointed as the general assembly may by law direct.

SEC. 3. Provision shall be made by law for the removal, for misconduct or malversation in office, of all officers whose powers and duties are not local or legislative, and who shall be elected at general elections, and also for supplying vacancies created by such removal.

SEC. 4. The legislature may declare the cases in which any office shall be deemed vacant, where no provision is made for that purpose in this constitution.

CORPORATIONS.—ARTICLE XIII.

SECTION 1. The general assembly shall not create corporations by special act except for municipal purposes.

SEC. 2. Corporations may be formed under general laws, but such laws may at any time be altered or repealed.

JURISPRUDENCE.—ARTICLE XIV.

SECTION 1. The general assembly, at its first session, shall constitute three commissioners, whose duty it shall be to revise, reform, simplify, and abridge the rules of practice, pleadings, forms, and proceedings of the courts of record of this State, and to provide, so far as practicable and expedient, that justice shall be administered by intelligent and uniform proceedings, without any distinction between law and equity.

SEC. 2. The proceedings of the commissioners shall be reported to the general assembly, and be subject to the action of that body.

MISCELLANEOUS.—ARTICLE XV.

SECTION 1. The first general assembly shall locate the permanent seat of government.

SEC. 2. Lotteries and the sale of lottery tickets, for any purpose whatever, shall forever be prohibited in the State.

SEC. 3. No person shall be elected or appointed to any office in this State unless they possess the qualifications of an elector.

SEC. 4. There may be established in the secretary of state's office a bureau of statistics and agriculture, under such regulations as may be prescribed by law, and provision shall be made by the general assembly for the organization and encouragement of state and county agricultural associations.

SEC. 5. The first general assembly shall provide by law for securing

to the wife the separate property acquired by her before or after coverture, and the equal right with the husband to the custody of the children during their minority; and in case of death, insanity, intemperance, or gross impropriety of the husband, their exclusive custody.

AMENDMENTS TO THE CONSTITUTION.—ARTICLE XVI.

SEC. 1. All propositions for amendments to the constitution shall be made by the general assembly.

SEC. 2. A concurrence of two-thirds of the members elected to each House shall be necessary, after which such proposed amendments shall be entered upon the journals with the yeas and nays, and the secretary of state shall cause the same to be published in at least one newspaper in each county in the State where a newspaper is published, for at least six months preceding the next election for senators and representatives, when such proposed amendments shall be again referred to the legislature elected next succeeding said publication. If passed by the second legislature, by a majority of two-thirds of the members elected to each house, such amendments shall be republished as aforesaid for at least six months prior to the next general election, at which election such proposed amendments shall be submitted to the people for their approval or rejection, and if the majority of the electors voting at such election shall adopt such amendments, the same shall become a part of the constitution.

SEC. 3. When more than one amendment is submitted at the same time they shall be so submitted as to enable the electors to vote upon each amendment separately.

SEC. 4. No convention for the formation of a new constitution shall be called, and no amendment to the constitution shall be by the general assembly made, before the year 1865, nor more than once in five years thereafter.

BANKS AND CURRENCY.—ARTICLE XVII.

SEC. 1. No banks shall be established otherwise than under a general banking law.

SEC. 2. If the general assembly shall enact a general banking law, such law shall provide for the registry and countersigning by the auditor of State of all paper credit designed to be circulated as money, with ample collateral security, readily convertible into specie for the redemption of the same in gold or silver shall be required; which collateral security shall be under the control of the proper officer, or officers of State. Such law shall restrict the aggregate amount of all paper credit to be circulated as money, and the aggregate amount to be put in circulation in any one year; and no note issued under the provision of this section shall be of a less denomination than ten dollars.

SEC. 3. The stockholders in every bank or banking company shall be individually liable to an amount over and above their stock equal to their respective shares of stock for all debts and liabilities of said bank or banking company.

SEC. 4. All bills or notes issued as money shall be at all times re-

deemable in gold or silver; and no law shall be passed sanctioning, directly or indirectly, the suspension, by any bank or banking company, of specie payments.

SEC. 5. Holders of bank notes shall be entitled, in case of insolvency, to preference of specie payment over all other creditors.

SEC. 6. No bank shall receive, directly or indirectly, a greater rate of interest than shall be allowed by law to individuals loaning money.

SEC. 7. Every bank or banking company shall be required to cease all banking operations within twenty years from the time of its organization, and promptly thereafter to close its business.

SEC. 8. The State shall not be a stockholder in any bank or banking institution.

SEC. 9. All banks shall be required to keep officers and proper offices for the issue and redemption of their paper at some accessible and convenient point within the State.

SEC. 10. The said banking law shall contain a provision reserving the power to alter, amend or repeal said law.

SEC. 11. At the time of submitting this constitution to the electors for their approval or disapproval, the articles numbered, in relation to a general banking law, shall be submitted as a distinct proposition in the following form: general banking law—yes or no; and if a majority of the votes cast shall be in favor of said article, then the same shall form a part of this constitution; otherwise it shall be void and form no part thereof.

SCHEDULE.

In order that no inconvenience may arise from the organization and establishment of a State government, and that the wishes of the people may be fully accomplished, it is declared—

1st. That no existing rights, suits, prosecutions, claims and contracts shall be affected by a change in the form of government.

2d. That this constitution shall be submitted to the people of Kansas for ratification on the 15th day of December next.

3d. That each qualified elector shall express his assent or dissent to the constitution by voting a written or printed ticket, labelled "Constitution," or "No constitution," which election shall be held by the same judges, and conducted under the same regulations and restrictions as is hereinafter provided for the election of members of the general assembly, and the judges therein named shall within ten days after said election, seal up and transmit to the chairman of the executive committee of Kansas Territory the result of said election, who shall forthwith make proclamation of the same; and in case the constitution be ratified by the people, the chairman of the executive committee shall cause publication to be made by proclamation that an election will be held on the third Tuesday of January, A. D. 1856, for governor, lieutenant governor, secretary of State, treasurer, auditor, judges of the supreme court, State printer, attorney general, reporter of the supreme court, clerk of the supreme court, and members of the general assembly, which said election shall be held by the same judges, under the same restrictions and conducted in the same manner

as is hereinafter provided for the election of members of the general assembly; and the judges herein named are hereby required within ten days after said election to seal up and transmit duplicate copies of the returns of said election to the chairman of the executive committee, one of which shall be laid before the general assembly at its first meeting.

4th. At the same time and place the qualified voters shall, under the same regulations and restrictions, elect a member of Congress, to represent the State of Kansas in the 34th Congress of the United States; the returns of said election to be made to the chairman of the executive committee, who shall deposit the same in the office of the secretary of state as soon as he shall enter upon the discharge of the duties of his office.

5th. The general assembly shall meet on the fourth day of March, A. D. 1856, at the city of Topeka, at 12, m., at which time and place the governor, lieutenant governor, secretary of state, judge of the supreme court, treasurer, auditor, State printer, reporter, and clerk of the supreme court, and attorney general, shall appear, take the oath of office, and enter upon the discharge of the duties of their respective offices under this constitution, and shall continue in office in the same manner and during the same period they would have done had they been elected on the first Monday of August, A. D. 1856.

6th. Until otherwise provided by law, the State shall be divided into election districts; and the senators and representatives shall be apportioned among the several districts as follows:

First district.—Commencing in the Kansas river, at the mouth of Cedar creek; thence up said river to the first tributary above the town of Lawrence; thence up said tributary to its source; thence by a direct line to the west side of Johnson's house; thence by a due south line to the Santa Fé road, and along the middle of said road to a point due south of the source of Cedar creek; thence due north to the source of said Cedar creek, and down the same to the place of beginning.

Second district.—Commencing at the mouth of Big Spring branch, on the south bank of the Kansas river; thence up said branch to its furthest source; thence by a southerly line crossing the Wakarusa river, on the east side of the house of Charles Matney, to the middle of the Santa Fé road; thence along the middle of said road to the line of the first district; thence by the same along the west side of the house of — Johnson, to the head of the first tributary of the Kansas, above the town of Lawrence; and thence by the same tributary to the Kansas river, and up the south bank of said river to the mouth of Big Spring branch, the place of beginning.

Third district.—Commencing at the mouth of Big Spring branch, on the south side of the Kansas river; thence up the same to its furthest source; thence by a southerly line to the north bank of the Wakarusa river, on the east side of the house of Charles Matney; thence up said river and its main branch to the line of the Pottawatomie reservation; and thence by the southern and western line of said reservation to the Kansas river, and down the said river to the place of beginning.

Fourth district.—Commencing at the Missouri State line, in the

middle of the Santa Fé road; thence along the middle of said road to Rock creek, near the 65th mile of said road; thence south to the line of the Shawnee reservation ceded by the treaty of 1854; thence due east along the south line of said reservation and the north lines of the existing reservations of the Sacs and Foxes, the existing reservations of the Chippewas and Ottawas, and the reservations of the Piankeshaws, Weas, Peorias, and Kaskaskias, to the Missouri State line; thence up the Missouri State line to the place of beginning.

Fifth district.—Commencing at the Missouri State line at the southern boundary of the fourth district; thence west along the same to the northwest corner of the Sac and Fox reservation; thence due south along the western line thereof, and due south to the south branch of the Neosho river, about seventy miles above the Catholic Osage mission; thence down said river to the north line of the reserve for the New York Indians, and east along said line to the headwaters of Little Osage river, or the nearest point thereto; and thence down said river to the Missouri State line, and up said line to the place of beginning.

Sixth district.—Commencing on the Missouri State line in Little Osage river; thence up the same to the line of the reserve for the New York Indians, or the nearest point thereto; thence to and by the north line of said reserve to the Neosho river, and up said river and the south branch thereof to the head; and thence by a due south line to the southern line of the Territory; thence by the southern and eastern lines of said Territory to the place of beginning.

Seventh district.—Commencing at the east side of the house of Charles Matney, on the Wakarusa river; thence due south to the middle of the Santa Fé road; thence westwardly along the middle of said road to Rock creek, near the 65th mile of said road; thence due south to the north line of the Sac and Fox reservation; thence along the north and west lines thereof, and due south, to the Neosho river; thence up said river to a point due south of the mouth of Elm creek; thence due north to the mouth of Elm creek, and up said creek to the Santa Fé road, and thence by a direct line in a northerly direction to the southwest corner of the Pottawatomie reservation; thence along the southern line of said reservation to the head waters of the Wakarusa river, or the point nearest thereto; thence to and down the said river to the place of beginning.

Eighth district.—Commencing at the mouth of Elm creek, one of the branches of Osage river; thence up the same to the Santa Fé road; thence by a direct northerly line to the southwest corner of the Pottawatomie reservation; thence up the western line thereof to Kansas river; thence up said river and the Smokey Hill fork, beyond the most westerly settlements; thence due south to the line of the Territory; thence by the same to the line of the sixth district; thence due north to the head of the south branch of the Neosho river; thence down said river to the line of the seventh district; thence due north to the place of beginning.

Ninth district.—Commencing at Smoky Hill fork, beyond the most westerly settlements; thence down the same and the Kansas river to the mouth of Wild Cat creek; thence up said creek to the headwaters

thereof; thence due north to the Independence emigrant road; thence up said road to the north line of the Territory; thence west along the same beyond the most westerly settlements; and thence due south to the place of beginning.

Tenth district.—Commencing at the mouth of Vermillion river; thence up the same beyond the house of Josiah D. Adams; thence due north to the Independence emigrant road; thence up the middle of said road to the line of the ninth district; thence by the same to the head of Wild Cat creek, and down said creek to the Kansas river; thence down said river to the place of beginning.

Eleventh district.—Commencing in the Vermillion river, opposite the north side of the house of Josiah D. Adams; thence up said river to the head of the main branch; thence due north to the military road from Fort Leavenworth to Fort Kearney; thence along the middle of said road to the crossing of the Vermillion branch of the Blue; thence due north to the northern line of the Territory; thence west, along said line, to the Independence emigrant road; thence down said road to a point due west to the north end of the house of Josiah D. Adams, and due east to the place of beginning.

Twelfth district.—Commencing at the mouth of Soldier creek, in the Kansas river; thence up said creek to the head of the main branch; thence due north to the military road from Fort Leavenworth to Fort Kearney; thence along the middle of said road to the line of the eleventh district; thence due south to the head of Vermillion river, down Vermillion river to the mouth, and down Kansas river to the place of beginning.

Thirteenth district.—Commencing in the Kansas river, at a point three miles above the mouth of Stranger creek; thence in a northwardly direction by a line corresponding to, and three miles west of the several courses of said creek, to the line of the Kickapoo reservation; thence by the southern and western line of said reservation to the military road from Fort Leavenworth to Fort Kearney; thence along the middle of said road to the line of the twelfth district; thence due south to the head of Soldier creek, down Soldier creek to the mouth, and down Kansas river to the place of beginning.

Fourteenth district.—Commencing at the mouth of Independence creek; thence up said creek to the head of the main branch, and thence due west to the line of the late Kickapoo reservation; thence north along said line, and the line of the late Sac and Fox reservation, to the north line of the Territory; thence along said line eastwardly to the Missouri river, and down said river to the place of beginning.

Fifteenth district.—Commencing at the mouth of Salt creek, on the Missouri river; thence up said creek to the military road, and along the middle of said road to the lower crossing of Stranger creek; thence up said creek to the line of the late Kickapoo reservation, and thence along the southern and western line thereof to the line of the fourteenth district; thence by the same, and down Independence creek, to the mouth thereof, and thence down the Missouri river to the place of beginning.

Sixteenth district.—Commencing at the mouth of Salt creek; thence up said creek to the military road; thence along the middle of said

road to the lower crossing of Stranger creek; thence up said creek to the line of the late Kickapoo reservation, and thence along the same to the line of the thirteenth district, and thence by the same, along a line corresponding to the source of Stranger creek, and keeping three miles west thereof, to the Kansas river; thence down the Kansas river to the Missouri, and up the Missouri river to the place of beginning.

Seventeenth district.—Commencing at the mouth of the Kansas river; thence up the south bank thereof to the mouth of Cedar creek; thence up Cedar creek to its source; and thence due south to the Santa Fé road; along the middle of said road to the Missouri State line; and along said line to the place of beginning.

Eighteenth district.—Commencing in the military road at the crossing of the Vermillion branch of Blue river; thence due north to the line of the Territory; thence east along said line to the fourteenth district; thence due south along said line to the aforesaid military road, and along the middle of said road to the place of beginning.

Senatorial and representative district.—1st. The first election district shall be entitled to three senators and eight representatives.

2nd. The second election district shall be entitled to one senator and three representatives.

3d. The third election district shall be entitled to one senator and three representatives.

4th. The fourth and seventeenth election districts shall constitute the fourth senatorial and representative district, and be entitled to one senator and two representatives.

5th. The fifth election district shall be entitled to three senators and nine representatives.

6th. The sixth, seventh, and eighth election districts, shall constitute the sixth senatorial and representative district, and be entitled to two senators and five representatives.

7th. The ninth and tenth election districts shall constitute the seventh senatorial district, and be entitled to one senator and four representatives.

8th. The eleventh and twelfth election districts shall constitute the eighth senatorial and representative district, and be entitled to one senator and three representatives.

9th. The thirteenth election district shall constitute the ninth senatorial and representative district, and be entitled to one senator and two representatives.

10th. The fourteenth and eighteenth election districts shall constitute the tenth senatorial and representative district, and be entitled to two senators and seven representatives.

11th. The fifteenth election district shall constitute the eleventh senatorial and representative district, and be entitled to one senator and five representatives.

12th. The sixteenth election district shall constitute the twelfth senatorial and representative district, and be entitled to three senators and nine representatives.

SEC. 3. Until otherwise provided by law, the election in the several districts shall be held at the following places, and the following named persons are hereby appointed as judges of the elections:

PLACES OF VOTING.

Sec. 4. *First senatorial district*.—Lawrence precinct, at the Free State hotel ; A. D. Searle, Lyman Allen, Henry Bronson, judges.

Franklin precinct, at the store of Mr. Purdam ; James McGee, Horace L. Enos, I. Purdam, judges.

Blanton precinct, at the house of J. B. Abbott ; John Stewart, R. Vaughn, P. T. Hupp, judges.

Palmyra precinct, at the house of H. Barricklow ; H. Barricklow, Louis Green, A. Pierson, judges.

Second senatorial district.—Bloomington precinct, at the house of H. Burson ; Samuel Smith, Daniel Vancil, J. M. Dunn, judges.

Third senatorial district.—Washington precinct, at the house of W. R. Frost ; W. Riley, Caleb Antram, Eli Allen, judges.

Tecumseh precinct, at the house of J. Taylor ; Charles Jordan, John Morris, Francis Grassmuck, judges.

Topeka precinct, at the law office of E. C. K. Garvey ; Dr. F. L. Crain, Milton C. Dickey, J. F. Cummings, judges.

Brownsville precinct, at the house of G. W. Brown ; G. W. Brown, Mr. Simmerwell, Dr. Bowen, judges.

Fourth senatorial district.—Prairie City precinct, at the house of Samuel Mewhenny ; W. Moore, Samuel Workman, Amos Hanna, judges.

Mission precinct, at the Baptist Mission building ; G. L. Osborn, S. M. Cornautzer, Lewis Dougherty, judges.

Wakarusa precinct, at the store of Paschal Fish ; L. H. Bascom, Ellis Bond, A. G. Green, judges.

Fifth senatorial district.—Osawatomie precinct, at the house of Samuel Geer ; William Chestnut, B. Woodbury, William Sailing, judges.

Stanton precinct, at the house of Mr. Staniford ; J. Woollard, Mr. Morse, W. G. Nichols, judges.

Pottawatomie precinct, at the meeting-house ; F. Brown, J. Grant, S. B. Morse, judges.

Hamden precinct, at the house of W. A. Ela ; W. A. Ela, Chauncey Morse, George Law, judges.

Sugar Creek precinct, at the house of Silas Young ; Silas Young, James W. Dudley, William Dyer, judges.

Little Sugar Creek precinct, at the house of Isaac D. Stockton ; J. D. Stockton, Thomas Sears, James Osborn, judges.

Little Osage precinct, at Miller's store ; Thomas Osburn, Mr. Miller, Mr. Fawbus, judges.

Osage precinct, at the house of Thomas Polks ; Mr. Wycoff, Mr. —, Mr. —, judges.

Sixth senatorial district.—Scott's Town precinct, at the house of Mr. Vandervo ; T. Crabtree, Isaac Chatham, F. S. Foscel, judges.

Titus precinct, at the house of J. B. Titus, on the Sante Fé road ; J. B. Titus, John Drew, W. Lord, judges.

Council Grove precinct, at the Mission house ; J. Goodell, G. H. Rees, B. Wright, judges.

Waubonsa precinct, at the house of John H. Nesbit, in Waubonsa ; E. R. McCurdy, J. M. Bisby, D. B. Hiatt, judges.

Mill Creek precinct, at the house of J. E. Hoenick; J. E. Hoenick, —, —, judges.

Ashland precinct, at the house of — —; Mr. Adams, — —, judges.

Clark Creek precinct, at some suitable place near the junction of Clark and Humbolt creeks; William McCready, Mr. Berry, Mr. Mitchell, judges.

Seventh senatorial district.—Pawnee precinct, at Loder and Shaw's store, in Pawnee; S. P. Higgins, W. M. McClure, L. Knapp, judges. Big Blue precinct, at the house of S. D. Dyer, in Juniata; J. Stewart, S. D. Houston, J. T. Goodenow, judges.

Rock Creek precinct, at the house of Mr. Haitt; James Darnell, Charles Jenkins, Henry Remmell, judges.

Eighth senatorial district.—Black Vermillion precinct, at some suitable house in said precinct on the Vermillion branch of the Blue river; John Schmidt, Mr. Hollingburg, M. Alvey, judges.

St. Mary's precinct, at the house of B. F. Bertrand; Dr. Palmer, C. Garrett, C. Dean, judges.

Silver Lake precinct, at some suitable house at Indianola; E. Kennedy, J. W. Hopkins, John G. Thompson, judges.

Ninth senatorial district.—Daton precinct, at the store of Bainter and Hoover; Lewis Hoover, Nathan Adams, G. B. Hall, judges.

Grasshopper Falls precinct, at the house of the Mill Company; S. H. Dunn, John W. Clark, J. B. Ross, judges.

Whitfield precinct, at the house of J. B. Chapman; Thomas Jenners, Vincent D. Cohee, James A. Gray, judges.

Tenth senatorial district.—California precinct, at the house of W. W. Moore; W. W. Moore, W. Jackson, judges.

Iowa Point precinct, at the house of Mr. McCall; Mr. Hanby, Mr. Pader, judges.

Voters on Independence and Deer creeks will vote at Doniphan.

St. Jo. Bottom precinct, at the house of B. Harden; George Bryant, H. Smallwood, A. A. Jamison, judges.

Burr Oak precinct, at the house of Mr. Wilson; Mr. Brock, Mr. Wilson, Thomas McCulloch, judges.

Palermo precinct, at the house of R. Martin; John White, R. Ladd, N. White, judges.

Doniphan precinct, at Collins' mill; David Lee, D. W. Fields, J. McNamee, judges.

Wolf River precinct, at the house of Mr. Searl; Mr. Searl, Mr. Ulse, Mr. Richardson, judges.

Eleventh senatorial district.—Kickapoo precinct, at some suitable house in Kickapoo City; Dr. McCormas, Mr. Zimmerman, Mr. Boyd, judges.

Port William precinct, at the house of Dr. Hathaway; Dr. Hathaway, Mr. Oliphant, Mr. Potter, judges.

Mount Pleasant precinct, at the house of M. A. Potter; Mr. Ridgway, B. Elliott, M. A. Potter, judges.

Oceanna precinct, at the store of Crosby & Co.; Archibald Elliott, A. Landrum, S. J. H. Snyder, judges.

Atchinson precinct, at the house of Mr. Bay; R. Mecubbins, Mr. Bay, Henry Williams, judges.

Twelfth senatorial district.—Leavenworth precinct, at the office of Gardiner & Dodge; Adam Fisher, Thomas H. Doyle, Hide Hook, judges.

Easton precinct, at the house of T. A. Maynard; T. A. Maynard, G. J. Clark, Wm. Pennock, judges.

Wyandot precinct, at the council house in Wyandot City; Abelard Guthrie, G. J. Clark, Ebenezer Lane, judges.

The executive committee of Kansas Territory is authorized to appoint additional precincts and judges therefor.

INSTRUCTIONS TO JUDGES.

SEC. 7. The three judges will provide for each poll ballot boxes for depositing the ballots cast by electors—shall appoint two clerks, all of whom shall be sworn or affirmed to discharge the duties of their respective offices impartially and with fidelity; and the judges and clerks shall have power to administer the oath or affirmation to each other; and the said judges shall open said election at 9 o'clock, a. m., at the place designated in each precinct, and close the same at 6 o'clock, p. m. In case any of the officers appointed fail to attend, the officer or officers in attendance shall supply their places, and in the event of all of them failing to attend, the qualified voters shall supply their places; and the said judges shall make out duplicate returns of said election; seal up and transmit the same within ten days to the chairman of the executive committee, one copy of which is to be laid before the general assembly. If at the time of holding said election it shall be inconvenient, from any cause whatever, that would disturb or prevent the voters of any election precinct in the Territory from the free and peaceable exercise of the elective franchise, the officers are hereby authorized to adjourn said election into any other precinct in the Territory, and to any other day they may see proper, of the necessity of which they shall be the exclusive judges, at which time and place the qualified voters may cast their votes.

SEC. 8. Until otherwise provided by law, the chairman of the executive committee of Kansas Territory shall announce by proclamation the result of the election and the names of persons elected to office.

SEC. 9. No person shall be entitled to a seat in the first general assembly at its organization, except the members whose names are contained in the proclamation of the chairman of the executive committee, but after the general assembly is organized, seats may be contested in the usual way.

SEC. 10. Certificates of indebtedness may be issued by the territorial executive committee for all necessary expenses accruing in the formation of the State government, not exceeding twenty-five thousand dollars; provided, no certificates shall be issued except for legitimate expenses. All claims shall be made in writing, and shall be numbered and kept on file in the secretary's office, and all certificates of indebt-

edness shall be signed by the president and secretary, and countersigned by the treasurer, and numbered to correspond with the number of the claim or bill for which it was issued. The certificate shall bear ten per cent. interest per annum.

SEC. 11. The first general assembly shall provide by law for the redemption of the certificates of indebtedness issued under the provisions of the foregoing section.

SEC. 12. Until the great seal of the State of Kansas is agreed upon and procured, as provided for in the 11th section of the 5th article of this constitution, the governor shall use his own private seal as the seal of State.

SEC. 13. At the election for the ratification of this constitution, and the first election for State officers, a representation in the Congress of the United States, and members of the general assembly of this State, an actual residence in the Territory of thirty days immediately preceding said election, shall be sufficient as a qualification for the elector; and an actual resident of ninety days for the candidates, provided said electors and candidates possess all the other qualifications required by the provisions of this constitution.

SEC. 14. The first legislature shall provide by law for the enforcement of the provisions of the 6th section of the bill of rights on or before the 4th day of July, 1857, as to all persons in the Territory before the adoption of this constitution, and as to all others the provisions of said section shall operate from and after the ratification of this constitution by the people.

ROBT KLOTZ,
M. J. PARROTT,
M. W. DELAHAY,
W. R. GRIFFITH,
G. S. HILLYER,
WILLIAM HICKS,
S. N. LATTI,
JOHN LANDIS,
H. BURSON,
C. W. STEWART,
J. M. ARTHUR,
J. L. SAYLE,
CALEB MAY,
S. MEWHINY,
A. CURTINS,
A. HUNTING,
R. KNIGHT,
O. C. BROWN,

W. GRAHAM,
MORRIS HUNT,
J. H. NESBITT,
C. K. HOLIDAY,
DAVID DODGE,
J. A. WAKEFIELD,
W. Y. ROBERTS,
G. W. SMITH,
J. G. THOMPSON,
G. A. CUTLER,
J. K. GOODIN,
J. M. TUTON,
THOMAS BELL,
R. H. CROSBY,
P. C. SCHUYLER,
C. ROBINSON,
M. F. CONWAY,
J. S. EMERY,
J. H. LANE, *President.*

SAM. C. SMITH, *Secretary.*

CHA'S A. FOSTER, *Assistant Secretary.*

Before the vote was taken by the people, upon the adoption of the constitution, the executive committee, in pursuance of instructions from the constitutional convention, prepared and issued a proclamation, of which the following is a copy :

PROCLAMATION.

Constitution and general banking law.

By authority vested in me as chairman of the executive committee of Kansas Territory, I do hereby proclaim and make known—

That the qualified voters of said Territory will meet at the several precincts hereinafter mentioned, on the 15th day of December, A. D. 1855, and then and there cast their ballots for or against the constitution framed by the convention which met at Topeka on the 23d day of October, 1855, in the following form: Those in favor voting a ballot upon which is written or printed *Constitution*; those against, *No Constitution*.

At the same time and places they will cast their ballots approving or disapproving an article in relation to a *general banking law*, framed by said convention, which article is submitted as a distinct proposition, to be voted upon by casting a written or printed ballot, in the following form: Those in favor, voting *General Banking Law—Yes*; those against, *General Banking Law—No*.

If a majority of the votes cast shall be in favor of said article, then the same shall form a part of the constitution; otherwise it shall be void and form no part thereof.

Places of voting

Sec. 4. First senatorial, district Lawrence precinct, at the Free State hotel; A. D. Searl, Lyman Allen, Henry Bronson, judges.

Franklin precinct, at the store of Mr. Purdam; James McGee, Horace L. Enos, J. Purdam, judges.

Blanton precinct, at the house of J. B. Abbott; John Stenart, R. Vaughn, P. T. Happ, judges.

Palmira precinct, at the house of H. Barricklow; H. Barricklow, Lewis Green, A. Pierson, judges.

Second senatorial district, Bloomington precinct, at the house of H. Burson; Samuel Smith, Daniel Vaneil, J. M. Dunn, judges.

Third senatorial district, Washington precinct, at the house of W. R. Frost; W. Riley, Caleb Antram, Eli Allen, judges.

Tecumseh precinct, at the house of J. Taylor; Charles Jordan, John Morris, Francis Grussmuck, judges.

Topeka precinct, at the law office of E. C. K. Garvey; Dr. F. L. Crain, Milton C. Dickey, J. T. Cummins, judges.

Brownsville precinct, at the house of G. W. Brown; G. W. Brown, Mr. Shumerwell, Dr. Bowen, judges.

Fourth senatorial district, Prairie City precinct, at the house of Samuel Mewhenney; W. Moore, Samuel Workman, Amos Hanna, judges.

Mission precinct, at the Baptist Mission building; G. L. Osborne, S. M. Cornantzer, Lewis Dougherty, judges.

Wakarusa precinct, at the store of Paschall Fish; L. H. Baseom, Ellis Bond, A. G. Green, judges.

Fifth senatorial district, Osawatimie precinct, at the house of Samuel Geer; Wm. Chestnut, B. Woodbury, Wm. Sailing, judges.

Stanton precinct, at the house of Mr. Staniford; J. Woollard, Mr. Morse, W. G. Nichols, judges.

Pottawatomie precinct, at the meeting house; F. Brown, J. Grant, S. B. Morse, judges.

Hampden precinct, at the house of W. A. Ela; W. A. Ela, Chauncey Morse, George Law, judges.

Sugar Creek precinct, at the house of Silas Young; Silas Young, James W. Dudley, William Dyer, judges.

Little Sugar Creek precinct, at the house of Isaac D. Stockton: I. D. Stockton, Thomas Sears, James Osborne, judges.

Little Osage precinct, at Miller's store; Thomas Osburn, Mr. Miller, Mr. Fawbus, judges.

Osage precinct, at the house of Thomas Polks; Mr. Wycoff, Mr. ———, Mr. ———, judges.

Sixth senatorial district, Scottstown precinct, at the house of Mr. Vaudever; T. Crabtree, Isaac Chatham, F. A. Froschel, judges.

Titus precinct, at the house of J. B. Titus, on the Santa Fé road; J. B. Titus, John Drew, W. Lord, judges.

Council Grove precinct, at the Mission house; J. Goodell, G. H. Rees, B. Wright, judges.

Waubousa precinct, at the house of John H. Nesbit, in Waubousa; E. R. McCurdy, J. W. Bisby, D. B. Hiatt, judges.

Mill Creek precinct, at the house of J. E. Hoenick; J. E. Hoenick, ———, judges.

Ashland precinct, at the house of ———; Mr. Adams, ———, judges.

Clark Creek precinct, at some suitable place near the junction of Clark and Humboldt creeks; William McCready, Mr. Berry, Mr. Mitchell, judges.

Seventh senatorial district; Pawnee precinct, at Loder & Shaw's store in Pawnee; S. P. Higgins, W. M. McClure, L. Knapp, judges.

Big Blue precinct, at the house of S. D. Dyer, in Juniata; J. Stewart, S. D. Honston, J. T. Goodenow, judges.

Rock Creek precinct, at the House of Mr. Haitt; James Darnell, Charles Jenkins, Henry Rimmell, judges.

Eighth senatorial district; Black Vermillion precinct, at some suitable house in said precinct on the Vermillion branch of the Blue river; John Schmidt, Mr. Hollingsburg, M. Alvey, judges.

St. Mary's precinct, at the house of B. F. Bertrand; Dr. Palmer, C. Garrett, C. Dean, judges.

Silver Lake precinct, at some suitable house in Indianola; E. Kennedy, J. W. Hopkins, John G. Thompson, judges.

Ninth senatorial district: Dayton precinct, at the store of Bainter & Hoover; Lewis Hoover, Nathan Adams, G. B. Hall, judges.

Grasshopper Falls precinct, at the house of the mill company; S. H. Dunn, John W. Clark, J. B. Ross, judges.

Whitfield precinct, at the house of ——— B. Chapman; Thomas Jenners, Vincent D. Cobee, James A. Gray, judges.

Tenth senatorial district; California precinct, at the house of W. W. Moore; W. W. Moore, W. Jackson, judges.

Iowa Point precinct, at the house of Mr. McCall ; Mr. Hanby, Mr. Pader, judges.

Voters on Independence and Deer creeks will vote at Doniphan.

St Joseph's bottom precinct, at the house of B. Hardin ; George Bryant, H. Smallwood, A. A. Jamison, judges.

Burr Oak precinct, at the house of Mr. Wilson ; Mr. Brook, Mr. Wilson, Thomas McCulloch, judges.

Palermo precinct, at the house of R. Martin ; John White, E. Ladd, N. White, judges.

Doniphan precinct, at Collins' mill ; David Lee, D. W. Fields, J. McNamee, judges,

Wolf River precinct, at the house of Mr. Searle ; Mr. Searle, Mr. Ulse, Mr. Richardson, judges.

Eleventh senatorial district ; Kickapoo precinct, at some suitable house in Kickapoo City ; Dr. McCormas, Mr. Zimmerman, Mr. Boyd, judges.

Port William precinct, at the house of Dr. Hathaway ; Dr. Hathaway, Mr. Oliphant, Mr. Potter, judges.

Mount Pleasant precinct, at the house of M. A. Potter ; Mr. Ridgway, B. Elliot, M. A. Potter, judges.

Oceana precinct, at the house of Crosby & Co. ; Archibald Elliott, A. Landrum, S. J. H. Snyder, judges.

Achison precinct, at the house of Mr. Ray ; R. McCubbins, Mr. Ray, Henry Williams, judges.

Twelfth senatorial district ; Leavenworth precinct, at the office of Gardiner & Dodge ; Adam Fisher, Thomas H. Doyle, Hide Hook, judges.

Eastern precinct, at the house of T. A. Maynard ; T. A. Maynard, O. J. Clark, William Pennock, judges.

Wyandot precinct at the council house in Wyandot City ; Abelard Guthrie, O. J. Clark, Ebenezer Lane, judges.

The executive committee of Kansas Territory is authorized to appoint additional precincts and judges therefor.

Instructions to judges.

SEC. 7. The three judges will provide for each poll ballot boxes for depositing the ballots cast by electors ; shall appoint two clerks, all of whom shall be sworn or affirmed to discharge the duties of their respective offices impartially and with fidelity ; and the judges and clerks shall have power to administer the oath or affirmation to each other ; and the said judges shall open said election at nine o'clock, a. m., at the place designated in each precinct, and close the same at six o'clock, p. m. In case any of the officers appointed fail to attend, the officer or officers in attendance shall supply their places ; and in the event of all of them failing to attend, the qualified voters shall supply their places ; and the said judges shall make out duplicate returns of said election, seal up and transmit the same within ten days to the chairman of the executive committee, one copy of which is to be laid before the general assembly. If at the time of holding said election it shall be inconvenient, from any cause whatever that

would disturb or prevent the voters of any election precinct in the Territory from the free and peaceable exercise of the elective franchise, the officers are hereby authorized to adjourn said election into any other precinct in the Territory, and to any other day they may see proper, of the necessity of which they shall be the exclusive judges, at which time and place the qualified voters may cast their ballots.

Qualification of voters.

SEC. 2. Every white male person and every civilized male Indian who has adopted the habits of the white man, of the age of twenty-one years and upward, who shall be at the time of offering to vote a citizen of the United States, who shall have resided and had his habitation, domicile, home, and place of permanent abode in Kansas Territory for thirty days next preceding the election, shall be deemed a qualified elector; provided that no soldier, seaman, or marine of the regular army of the United State shall be entitled to vote.

BLANKS.

Printed forms of poll books, tally papers, and tickets will be furnished to the officers of each election precinct.

The importance of the election will doubtless induce you to observe the forms transmitted, and scrupulously to adhere to the rules herein recited.

It is confidently expected the people of Kansas will be permitted to exercise the right of suffrage upon so vital a subject as their first constitution, without interference from foreign invaders; if, however, you are disappointed and any attempt should be made to pollute the ballot box by force or otherwise, the judges will unhesitatingly exercise the authority vested in them, and adjourn or remove the polls to such time and place as in their judgment will secure a legal election.

Given under my hand, at the office of the executive committee of Kansas Territory, at Topeka, this 24th day of November, A. D. 1855.

J. H. LANE, *Chairman*.

J. K. GOODIN, *Secretary*.

A regularly conducted election was held on the 15th of December, 1855, in pursuance of that proclamation and in compliance with the order of the constitutional convention. The returns of the election were brought in and given to the executive committee.

On the 29th of December, 1855, the following proclamation was issued by the executive committee. It is here inserted:

CONSTITUTIONAL PROCLAMATION.

At an election holden on the 15th day of December, 1855, to determine, by ballot, for or against the adoption of a constitution for the State of Kansas, framed by a convention of delegates which assembled at Topeka on Tuesday, the 23d of October, 1855, it doth appear by the returns of said election now on file in the office of the executive

committee, that a majority of all the votes cast are in favor of the said constitution. Now, therefore, by virtue of authority in me vested as chairman of the executive committee of Kansas Territory, I do hereby proclaim and make known, that the constitution framed by the said Topeka convention has been ratified by the qualified voters of Kansas Territory, and I do now declare the same to be the CONSTITUTION OF THE STATE OF KANSAS.

And I do further proclaim and make known, that of all the votes cast at the aforesaid election "for" and "against" a separate and distinct article on the subject of *banking*, a majority are in favor of a "*general banking law*," as ascertained by the returns of said election now on file in the office of the executive committee; and I do now declare the said article to be a part of the constitution of the State of Kansas.

And I do further proclaim and make known, that of the votes cast at the aforesaid election "for" and "against" "the passage of laws by the general assembly providing for the exclusion of free negroes from the State of Kansas—the result of such vote to operate as instructions to the first general assembly upon that subject," a majority are in favor of "*exclusion*," as ascertained by the returns of said election now on file in the office of the executive committee.

Given under my hand, at the office of the executive committee of Kansas, at the city of Topeka, this 27th day of December, A. D. 1855.

J. H. LANE, *Chairman*.

Attest:

C. K. HOLLIDAY, *Secretary pro tempore*.

On the same day a proclamation was issued for the election of State officers and members of the general assembly of the State of Kansas, to be held on the 15th of January, 1856, of which the following is a true copy:

ELECTION PROCLAMATION.

By virtue of authority in me vested as chairman of the executive committee of Kansas Territory, I do hereby proclaim and make known, that the qualified voters of Kansas will meet at the several precincts hereinafter mentioned, on the 15th day of January, A. D. 1856, and then and there elect:

One person for governor; one person for lieutenant governor; one person for secretary of State; one person for auditor of State; one person for treasurer of State; one person for attorney general; three persons for judges of supreme court; one person for reporter of supreme court; one person for clerk of supreme court; one person for public printer; one person for representative to Congress.

At the same time and places they will also elect twenty persons for senators and sixty persons for representatives to the general assembly of the State of Kansas, to be apportioned among the several districts as follows, to wit:

Senatorial and representative districts.

1st. The first election district shall be entitled to three senators and eight representatives.

2d. The second election district shall be entitled to one senator and three representatives.

3d. The third election district shall be entitled to one senator and three representatives.

4th. The fourth and seventeenth election districts shall constitute the fourth senatorial and representative district, and be entitled to one senator and two representatives.

5th. The fifth election district shall be entitled to three senators and nine representatives.

6th. The sixth, seventh, and eighth election districts shall constitute the sixth senatorial and representative district, and be entitled to two senators and five representatives.

7th. The ninth and tenth election districts shall constitute the seventh senatorial district, and be entitled to one senator and four representatives.

8th. The eleventh and twelfth election districts shall constitute the eighth senatorial and representative district, and be entitled to one senator and three representatives.

9th. The thirteenth election district shall constitute the ninth senatorial and representative district, and be entitled to one senator and two representatives.

10th. The fourteenth and eighteenth election districts shall constitute the tenth senatorial and representative district, and be entitled to two senators and seven representatives.

11th. The fifteenth election district shall constitute the eleventh senatorial and representative district, and be entitled to one senator and five representatives.

12th. The sixteenth election district shall constitute the twelfth senatorial and representative district, and be entitled to three senators and nine representatives.

Until otherwise provided by law, the election in the several districts shall be held at the following places, and the following named persons are hereby appointed as judges of the elections.

Election Precincts.

1st senatorial district, Lawrence precinct, at the Free State hotel; A. D. Searl, Lyman Allen, Henry Bronson, judges.

Franklin precinct, at the store of E. B. Purdam; James McGee Horace L. Enos, E. B. Purdam, judges.

Blanton precinct, at the house of J. B. Abbott; John Stewart, R. Vaughn, P. T. Hupp, judges.

Palmyra precinct, at the house of H. Barricklow; H. Barricklow, L. Green, A. Pierson, judges.

2d senatorial district, Bloomington precinct, at the house of H. Burson; Samuel Smith, Daniel Vancil, J. M. Dunn, judges.

East Douglas precinct, at the house of Esquire Cranmer; John Jackson, Mr. Harris, Mr. Shimmings, judges.

3d senatorial district, Washington precinct, at the house of W. Frost; W. Riley, Caleb Antram, Eli Allen, judges.

Tecumseh precinct, at the house of J. Taylor; Charles Jordan, John Morris, F. Grasmuck, judges.

Topeka precinct, at the law-office of E. C. K. Garvey; Dr. F. L. Crane, Milton C. Dickey, J. F. Cummins, judges.

Brownsville precinct, at the house of G. W. Brown; G. W. Brown, Mr. Simmerwell, Dr. Bowen, judges.

4th senatorial district, Prairie City precinct, at the house of S. Mewhinney; W. Moore, Samuel Workman, Amos Hanna, judges.

Mission precinct, at the Baptist mission building; G. L. Osborn, S. M. Cornantzer, Lewis Dougherty, judges.

Wakarusa precinct, at the house of Paschal Fish; L. H. Bascom, Ellis Bond, A. G. Green, judges.

5th senatorial district, Osawatomie precinct, at the house of Samuel Geer; William Chestnut, B. Woodbury, William Sailing, judges.

Stanton precinct, at the house of Mr. Staniford; J. Wollard, Mr. Morse, W. G. Nichols, judges.

Pottawatomie precinct, at the meeting house; F. Brown, J. Grant, F. B. Morse, judges.

Hampden precinct, at the house of W. A. Ela; W. A. Ela, Chauncey Morse, George Law, judges.

Sugar Creek precinct, at the house of Silas Young; Silas Young, James W. Dudley, William Dyer, judges.

Little Sugar Creek precinct, at the house of Isaac D. Stockton; I. D. Stockton, T. Sears, James Osborn, judges.

Little Osage precinct, at Miller's store; T. Osborn, William Miller, Abram Fanbus, judges.

Big Osage precinct, at some suitable place in the precinct; Mr. Hamilton, Mr. Nichols, judges.

6th senatorial district, Scottstown precinct, at the house of Mr. Vandevere; S. Crabtree, Isaac Chatman, F. S. Froscel, judges.

Titus precinct, at the house of J. B. Titus on the Santa Fé road; J. B. Titus, J. Drew, W. Lord, judges.

Council Grove precinct, at the mission house; J. Goodell, G. H. Rees, B. Wright, judges.

Waubousa precinct, at some suitable building in Waubousa; E. R. McCurdy, S. M. Bisby, D. B. Hiatt, judges.

Clark's creek precinct, at some suitable house at Mill creek; Hoenrich, —, judges.

Ashland precinct, at some suitable house at Ashland; Messrs. Adams, —, judges.

7th senatorial district, Moneka precinct, at Sunnamaker's store, on Seven Mile creek; S. B. White, L. Lincoln, W. M. McClure, judges.

Big Blue precinct, at the house of S. D. Dyer in Juniata; J. Stewart, S. H. Houston, S. Whiteborn, judges.

Rock creek precinct, at the house of Robert Wilson; James Darnell, Charles Jenkins, Henry Remmell, judges.

8th senatorial district, Black Vermillion precinct, at some suitable

house in said precinct, on the Vermillion branch of the Blue river; John Schmidt, Mr. Hollingburgh, M. Avel, judges.

St. Mary's precinct, at the house of B. Betrand; Dr. Palmer, C. Garrett, C. Dean, judges.

Silver Lake precinct, at some suitable house in Indianola; E. Kennedy, J. W. Hopkins, John G. Thompson, judges.

9th senatorial district, Dayton precinct, at the house of Bainter & Hoover; Lewis Hoover, Nathan Adams, G. B. Hall, judges.

Grasshopper Falls precinct, at the house of the Mill Company; S. H. Dunn, John W. Clark, J. M. Ross, judges.

Whitfield precinct, at the house of J. B. Chapman; Thomas James, Vincent D. Cohee, James A. Gray, judges.

Crooked Creek precinct, at the house of A. Simmons; A. Simmons, Simeon Hall, G. T. Donaldson, judges.

Bills Creek precinct, at the house of Mr. McKinney; Messrs. James, Jones, McKinney, judges.

Slough Creek precinct, at some suitable place in the precinct; R. Ward, Mr. Owen, —, judges.

10th senatorial district, California precinct, at the house of W. W. Moore; W. W. Moore, W. Jackson, judges.

* St. Jo. bottom precinct, at the house of B. Harden; George Bryant, H. Smallwood, A. A. Jamison, judges.

* Burr Oak precinct, at the house of Mr. Wilson, Mr. Brock, Mr. Wilson, Thomas McCollock, judges.

Palermo precinct, at the house of R. Martin; John White, R. Ladd, N. White, judges.

Doniphan precinct, at Collin's mill; D. Lee, D. W. Fields, J. McName, judges.

Wolf river precinct, at the house of Mr. Searl; Messrs. Searl, Ulse, Richardson, judges.

Iowa Point precinct, at the house of Mr. McColl; Mr. Hundy, Mr. Padue, judges.

11th senatorial district, Kickapoo precinct, at some suitable house in Kickapoo city; Mr. Giegle, Mr. Zimmerman, Mr. May, judges.

Port William precinct, at the house of Dr. Hathaway; Mr. Oliphant, Mr. Potter, judges.

Mt. Pleasant precinct, at the house of M. A. Potter; Mr. Ridgeway, B. Elliott, M. A. Potter, judges.

Oceana precinct, at the store of Crosby & Co.; Archibald Elliott, A. Landrum, S. J. H. Snyder, judges.

12th senatorial district, Leavenworth precinct, at the office of Gardner & Dodge; A. Fisher, T. H. Doyle, H. Hook, judges.

Easton precinct, at the house of T. A. Maynard; T. A. Maynard, G. J. Clark, W. Pennock, judges.

Wyandott precinct, at the council house in Wyandott city; A. Gurthrie, G. J. Clark, E. Zane, judges.

Instructions to Judges of Election.

The three judges will provide for each poll ballot boxes for depositing the ballots cast by electors; shall appoint two clerks, all of whom

shall be sworn or affirmed to discharge the duties of their respective offices impartially and with fidelity; and the judges and clerks shall have power to administer the oath or affirmation to each other; and the said judges shall open said election at nine o'clock, a. m., at the place designated in each precinct in this proclamation, and close the same at six o'clock, p. m. In case any of the officers appointed fail to attend, the officer or officers in attendance shall supply the vacancy or vacancies; and in the event of all of them failing to attend, the qualified electors shall supply their places. And the said judges shall make out duplicate returns of said election, seal up and deliver to the chairman of the executive committee the same within *ten days* after said election. If at the time of holding said election it shall be inconvenient on account of any cause whatever that would disturb or prevent the voters of any election precinct in the Territory from the free and peaceable exercise of the elective franchise, the officers are authorized to adjourn said election to any other precinct in the Territory, and to any other day they may see proper; of the necessity of which, *they* shall be the exclusive judges; at which time and place the qualified voters may cast their votes.

Qualifications of Voters.

Every white male person, and every civilized Indian who has adopted the customs of the white man, of the age of twenty-one years and upwards, who shall be, at the time of offering to vote, a citizen of the United States, and who shall have resided and had his habitation, domicile, home, and place of permanent abode in Kansas Territory, for thirty days next preceding the election, shall be deemed a qualified elector; provided, that no soldier, seaman or marine of the regular army of the United States shall be entitled to vote.

Blanks.

Printed forms of poll books, tally papers and tickets will be furnished to the officers of each election precinct.

The importance of the election will doubtless induce you to observe the forms transmitted, and scrupulously to adhere to the rules herein recited.

Given under my hand at the office of the executive committee of Kansas Territory, at Topeka, this 27th day of December, A. D., 1855.

J. H. LANE, *Chairman.*

C. K. HOLLIDAY, *Secretary pro tempore.*

An election was held in conformity with the above proclamation, and returns made to the executive committee. The following is an abstract of the returns of that election.

On the 6th of February, 1856, the executive committee issued proclamations announcing the results of the election of State officers, of which the following are copies:

PROCLAMATION.

By authority vested in me, as chairman of the executive committee of Kansas Territory, I do hereby proclaim that at an election held in the different precincts of said Territory, on the 15th day of January, 1856, as provided for by the convention which met at Topeka to "frame a constitution, adopt a bill of rights for the people of Kansas, and take all needful steps toward the formation of a State government, preparatory to the admission of Kansas into the Union," that Charles Robinson, having received the highest number of votes cast at said election, has been chosen governor; and that William Y. Roberts, having received the highest number of votes cast at said election, has been chosen lieutenant governor; and that Philip C. Schuyler, having received the highest number of votes cast at said election, was chosen as secretary of state; and that George A. Cutler, having received the highest number of votes cast at said election, was chosen as auditor of state; and that John A. Wakefield, having received the highest number of votes cast at said election, was chosen as treasurer of state; and that H. Miles Moore, having received the highest number of votes cast at said election, was chosen as attorney general; and that S. N. Latta, Morris Hunt, and M. F. Conway, having each received the highest number of votes cast at said election, were chosen as judges of the supreme court; and that E. M. Thurston, having received the highest number of votes cast at said election, was chosen as reporter of the supreme court; and that S. B. Floyd, having received the highest number of votes cast at said election, has been chosen State printer.

And I do hereby proclaim that the same are hereby elected to the positions mentioned, and that they be and appear, as provided in the constitution aforementioned, at the city of Topeka, Kansas, on the 4th day of March, A. D., 1856.

Given under my hand at the office of the executive committee of Kansas Territory, this 6th day of February, A. D. 1856.

J. H. LANE,

Chairman Executive Committee, K. T.

J. K. GOODIN, *Secretary.*

PROCLAMATION.

OFFICE OF THE EXECUTIVE COMMITTEE,
Laurence, K. T., February 8, 1856.

By authority vested in me as chairman of the executive committee of Kansas Territory, I do hereby proclaim that at an election held in the several precincts of said Territory, on the 15th day of January, A. D. 1856, as provided for by the convention which met at Topeka to "frame a constitution, adopt a bill of rights for the people of Kansas, and take all needful steps toward the foundation of a State government preparatory to the admission of Kansas into the Union," that Mark W. Delahay received the highest number of votes cast at said

election for representative to the 34th Congress of the United States, and is hereby declared duly elected as said representative.

(Given under my hand the day and year above written.

J. H. LANE, *Chairman Executive Committee.*

J. K. GOODIN, *Secretary.*

The legislature met on the day and at the place designated by the State constitution, the State officers and members of the general assembly elect were sworn in, and entered upon the discharge of their respective duties. After electing United States senators, passing some laws, and appointing a codifying committee, the general assembly adjourned to meet on the 4th of July, 1856.

G. W. DEITZLER.

LAWRENCE, K. T., *May 13, 1856.*

(A.)

MEMORIAL.

To the Senate and House of Representatives in Congress assembled:

The memorial of the subscribers, citizens and residents of the Territory of Kansas, respectfully represents:

That a state of things exists in said Territory, unparalleled, as we believe, in the history of our country, and which it becomes our solemn duty to lay before you, and through you before our fellow-citizens of the United States. Under the guaranties of your law for the organization of the Territory, and in consideration of the privileges which that law held out to us, we left our former homes, met the privations of an uninhabited country, and prepared for adding another republic to our Union. The right of civil and religious liberty, the right of suffrage and self-government were set up as the beacon lights which beckoned us on. As freemen we were invited, as freemen we came, and as freemen we expected to live. But we address you now as an outraged and subjugated people, disfranchised and enslaved, stripped of our dearest rights, and governed by a set of masters foreign to our soil, and responsible only to their own lawless will. One of the States of our Union, strong in wealth, population, and resources, relying upon her accumulated strength of almost half a century, and taking advantage of our feeble infancy as a people, has invaded our soil, seized upon our rights, subjugated our Territory, and selected for us our rulers; intending, also, to dictate our laws, and make us the slaves of their will. This may well seem an almost incredible thing in the nineteenth century, and in this republican Union, the peculiar and boasted land of liberty and self-government; but the evidence of it is as palpable and undeniable as the fact is bitter and mortifying to us and disgraceful to the public.

This invasion of our soil and usurpation of our rights commenced at the first moment of calling those rights into action. The first ballot box that was opened upon our virgin soil was closed to us by overpowering numbers and impending force. It became, not what Americans have been proud to designate it, the exponent of the people's will, but was converted into the sword of the oppressor to strike at civil liberty. So bold and reckless were our invaders that they

cared not to conceal their attack. They came upon us, not in the guise of voters, to steal away our franchise, but boldly and openly to snatch it with the strong hand. They came directly from their own homes, and in compact and organized bands, with arms in hand and provisions for the expedition, marched to our polls, and when their work was done returned whence they came. It is unnecessary to enter into the details; it is enough to say that three districts, in which, by the most irrefragable evidence, there were not 150 voters, most of whom refused to participate in this mockery of the elective franchise, these invaders polled over a thousand votes. Loving our country and its institutions, we were willing, if this was to be only a solitary instance, to suffer it in silence, rather than to proclaim to the world that even in this remote spot of our great country civil liberty was but a name. Bitter and mournful experience has taught us, however, that this was no isolated act, no temporary ebullition, but the commencement of a well matured and settled plan, by a large portion of the people of one of the States of our Union, permanently to enslave us and constitute themselves our masters.

On the 30th day of March last, we were again invited to the ballot-box, under the law which we, in common with our fellow-citizens of the States, had, through your body, enacted. Our vigilant and faithful chief magistrate had surrounded it with all the guards and precautions with which his authority invested him, and we were prepared to exercise the dearest and most cherished privilege of American citizens, with a full sense of the vital and interesting importance of this peculiar occasion. The occasion came, and with it came our invading and self-constituted masters in thousands, and with all the paraphernalia of war. They came, organized in bands, with officers, and arms, and tents, and provisions, and munitions of war, as though they were marching upon a foreign foe, instead of their own unoffending fellow-citizens. Upon the principal road leading into our Territory and passing several important polls, they numbered not less than twelve hundred men, and one camp alone contained not less than six hundred. They arrived at their several destinations the night before the election, and having pitched their camps and placed their sentries, waited for the coming day. Baggage-wagons were there, with arms and ammunition enough for a protracted fight, and among them two brass field-pieces, ready charged. They came with drums beating and flags flying, and their leaders were of the most prominent and conspicuous men of their State.

In the morning they surrounded the polls, armed with guns, bowie-knives, and revolvers, and declared their determination to vote at all hazards, and in spite of all consequences. If the judges could be made to subserve their purposes and receive their votes, and if no obstacle was cast in their way, the leaders exerted themselves to preserve peace and order in the conduct of the election, but, at the same time, did not hesitate to declare that if not allowed to vote they would proceed to any extremity in the destruction of property and life. If control of the polls could not be had otherwise, the judges were, by intimidation, and, if necessary, by violence, prevented from performing their duty; or, if unyielding in this respect, were driven from their post, and the vacancy filled, in form, by the persons on the

ground, and whenever, by any means, they had obtained the control of the board, the foreign vote was promiscuously poured in, without discrimination or reserve, or the slightest care to conceal its nefarious illegality. At one of these polls, two of the judges, having manfully stood up in the face of this armed mob and declared they would do their duty, one portion of the mob commenced to tear down the house, another proceeded to break in the door of the judges' room, whilst others, with drawn knives, posted themselves at the window, with the proclaimed purpose of killing any voter who would allow himself to be sworn. Voters were dragged from the window because they would not show their tickets or vote at the dictation of the mob, and the invaders declared openly, at the polls, that they would cut the throats of the judges if they did not receive their votes without requiring an oath as to their residence. The room was finally forced, and the judges, surrounded by an armed and excited crowd, were offered the alternatives of resignation or death, and five minutes were allotted for their decision. The ballot-box was seized, and, amid shouts of "hurra for Missouri," was carried into the mob. The two menaced judges then left the ground, together with all the resident citizens, except a few who acted in the outrage because the result expected from it conformed to their views, and because it enabled the few to rule the many. When an excess of the foreign force was found to be had at one poll, detachments were sent to others where it was supposed they might be needed. At the polls adjoining the one above alluded to, one of the judges, a minister of the Gospel, who refused to accede to the demands of a similar mob of some four hundred armed and organized men, was driven by violence from his post and the "vacancy" filled by themselves. Threats and violent demonstrations were rife, and another clergyman, for the expression of his opinion, was assaulted and beaten. The inhabitants of the district, powerless to resist the abundant supply of arms and ammunition, the organized preparation, and the overwhelming numbers of these foreigners, left the polls without voting.

In the Lawrence district, where was the largest camp of these invaders, speeches were made to them by leading residents of Missouri, in which it was said that they would carry their purpose, if need be, at the point of the bayonet and bowie-knife, and one voter was fired at as he was driven from the election ground. Finding they had a greater force than was necessary for that poll, some two hundred men were drafted from the number and sent off, under their proper officers, to another district, after which they still polled from this camp over seven hundred votes. In the fourth and seventh districts, along the Santa Fé road, similar scenes were enacted. The invaders came together in one armed and organized body, with trains of fifty wagons, besides horsemen, and, the night before election, pitched their camp in the vicinity of the polls, and having appointed their own judges in place of those who, from intimidation or otherwise, failed to attend, they voted without any proof of residence. In these two election districts, where the census show one hundred voters, there were polled three hundred and fourteen votes, and last fall seven hundred and sixty-five votes, although a large portion of the actual residents did not vote upon either occasion. In the sixteenth election district hun-

dreds of men came together, as in the other cases, crossing the river from Missouri the day before election and encamping together, armed and provisioned, made the fiercest threats against the lives of the judges, and during the night called several times at the house of one of them for the purpose of intimidating him, declaring, in the presence of his wife, that a rope had been prepared to hang him, and, although we are not prepared to say that these threats would have been carried out, yet they served to produce his resignation, and give these invaders, in the substitution, control of the polls; and on the morning of the election a steamboat brought from the town of Weston, Missouri, to Leavenworth, an accession to their numbers of several hundred more, who returned in the same boat after depositing their votes. There were over nine hundred and fifty votes polled, besides from one hundred to one hundred and fifty actual residents who were deterred or discouraged from voting, while the census returns show but three hundred and eighty-five votes in the district a month before. Not less than six hundred votes were here given by these non-residents of the Territory, who voted without being sworn as to their qualifications, and immediately after the election returned back to Missouri; some of them being the incumbents of important public offices there. Indeed, so well was the character of this foreign vote understood that the judges struck out of the prescribed form of return the words "*by lawful resident voters.*"

We might continue the list of these sickening details until the blood of every freeman would boil with indignation; but it is useless. One more instance alone we will refer to. In the eighteenth election district, where the population was sparse, and no great amount of foreign votes was needed to overpower it, a detachment from Missouri, from sixty to one hundred, passed in with a train of wagons, arms and ammunition, making their camp the night before the election near Moorestown, the place of the polls, without even a pretext of residence, and returning immediately to Missouri after their work was done, their leader and captain being a distinguished citizen of Missouri, but late the presiding officer of the Senate of the United States, and who had bowie knife and revolver belted around him, apparently ready to shed the blood of any man who refused to be enslaved. All these facts we are prepared to establish, if necessary, by proof that would be considered competent in a court of justice.

From a careful examination of the returns we are satisfied that over three thousand votes were thus cast by the citizens and residents of the States, and that a very large portion of the residents were deterred or discouraged from going to the polls. If this condition of things is allowed to prevail, we are reduced to the state of a vassal province, and are governed by the State of Missouri.

It would be mere affectation in us to attempt to disguise the fact that the question of making Kansas a free or slave State is at the bottom of this movement, and that the men who thus invade our soil and rob us of our liberties are from the pro-slavery men of Missouri, who are unwilling to submit the question to the people of the Territory, and abide the compact between the north and south, which the Kansas-Nebraska bill contains. That compact we want carried out, and by that test we want the question settled if it can be; but there

are few things that we would not prefer to the domination of irresponsible invaders from Missouri. That enactment is not only a law which States and individuals are bound to obey, but it is a compact between the north and the south, a solemn covenant between the sovereign States of our Union, which none can violate without becoming recreant to the principles of honor and justice, without the betrayal of confidence reposed, without such breaking of plighted faith as in an individual would load him to the earth with scorn and contempt, and drive him from the society of honest men. That bill which northern statesmen, backed with northern votes, had obtained for southern rights, is made by men who invade our soil the very instrument for depriving us of our dearest privileges, and stabbing to the heart those who magnanimously gave it into their hands for other ends.

That bill is made to mean popular sovereignty for them, serfdom for us. The doctrine of self-government is to be trampled under foot here, of all other places in the world, on the very spot which had been hallowed and consecrated to its most signal vindication. The altars which had been reared to it on this chosen ground, and around which at least the democracy of the whole Union had sworn allegiance, and to which we had come as pilgrim worshippers in the wilderness, are to be ruthlessly demolished. The compact is to be basely broken, and the ballot of the freeman (in effect) torn from our hands, almost before the ink of the covenant is dry. Not only, too, is the principle of popular sovereignty to be blotted out, but more than this, even the object of the contest is to disappear. The question of *negro* slavery is to sink into insignificance, and the great portentous issue is to loom up in its stead, whether or not we shall be the slaves, and fanatics who disgrace the honorable and chivalric men of the south shall be our masters to rule us at their pleasure.

With a feeble and scattered community just struggling into existence, without organization and almost without shelter, we are powerless to resist an old, strong, and populous State, full of men and arms and resources, and we therefore appeal to you, and through you to the people of the States. Remedy here we have none.

Our executive has with manly determination and persistent fidelity stood by his people, and endeavored to carry out the principles of popular sovereignty, and secure us the privilege of managing our own affairs and governing ourselves, until his reputation has been assailed and his life openly threatened with a bitterness almost unparalleled: and, although as chief magistrate he is all we could desire, and has fearlessly pursued the path of duty amid a storm of menace and detraction, under which many men would have quailed, yet he is powerless like ourselves.

We make now this last appeal, not to the north, not to the south, not to any political party, but to the representatives of the whole Union. We beg that no men will sport with our fearful condition, by endeavoring to make political capital, or build up party at the expense of our civil and physical existence. We want the men of the north and the men of the south to protect us. Through yourselves, their representatives, we appeal to their honor, to their justice, to their patriotism, to their sympathies, not for favors but for rights—not for trivial rights, but for the dearest rights guaranteed to us by

the Declaration of Independence, by the Constitution of the Union, by the law of our organization, by the solemn compact of the States, and which you pledged to us as the condition of our coming here.

Communities are not to blame for the conduct of their fanatics unless they sanction them. We cannot believe that the States of the South will sanction the outrages that have been perpetrated upon us, or will allow them to be continued. And, although we might reason the matter as a question of policy, and show that it is contrary to the laws of nature and society, and opposed to all human experience, that good can come from such an evil, (although we might prove that it is "sowing the wind to reap the whirlwind," and that the reaction will be fearful,) yet we feel that this is unnecessary, that it is enough to appeal to their honor and their sense of justice, and to rely upon their plighted faith.

Inside our bounds we shall have no serious troubles. Northern and southern men mingle together in harmony and good feeling, and in mutual dependence and assistance in the hardships and privations of a pioneer life. As we learn to understand each other, friendships are engendered and prejudices melt away, so that we shall be able to meet all questions that may arise in a spirit of justice and kindly feeling, which will secure the rights of all, and cheerful acquiescence in the decision of the majority. From foreign oppression, however, we ask for relief of that power which passed the Kansas bill, and pledged to us its benefits if we would come here. We have a right to ask and do ask its enforcement. It remains for your honorable bodies to decide whether you will keep the compact between you and us which exists by that bill and our emigration, whether you will vindicate the sacred doctrines of the government, or whether you will leave us in a state of vassalage and oppression. We cannot and do not doubt that you will in some way give us justice and protection.

E. P. LOWREY, recalled.

To Mr. Sherman:

I was present at Lawrence, in the Territory of Kansas, on the 9th of October, 1855, at an election for delegates to a constitutional convention and delegate to Congress. The election for constitutional delegates and congressional delegate were held on the same day and at the same place, but under different proclamations and with different ballot boxes. The election was conducted peaceably and quietly that day. I voted. The number of votes cast for delegate to Congress was 557, and about the same number for constitutional delegates. The returns of these elections were delivered to the executive committee, of which James H. Lane was chairman and J. M. Goodin was secretary. Sometime last winter I called upon Mr. Lane, at the request of Governor Reeder, for the poll books and returns of his election as delegate to Congress, in order to use them in his contest for that seat. I received from Mr. Lane a package of election papers and sent them to Governor Reeder. They are the same papers that I produced before this committee in New York city. I do not think the returns of the Lawrence election were among the papers when I first received them, though I did not examine them closely. I know they are not among them now. But I remember distinctly the number of

votes cast, and there were 557 for Reeder, and, I think, one or two for Whitfield.

The returns of the election for members to the constitutional convention were also placed in charge of the executive committee, and were generally in the charge of the secretary, Mr. Goodin. At the time the committee were in Kansas, at least until I left, they were at Leavenworth. Goodin was down on the Neosho, laying out a town, some 125 miles from Lawrence. G. P. LOWREY.

WASHINGTON CITY, D. C., July 11, 1856.

Dr. J. N. O. P. Wood called and affirmed.

To Mr. King:

I came into the Territory first about the 1st of April, 1854. I located permanently in Lawrence about the 7th of October, 1854. I resided there until some time the last of March or the first of April last, and then I went to Leecompton. About the time I came there, there was considerable difficulty between what was called the Lawrence Association, of which Dr. Robinson was president, and the settlers that were not members of this association. The members of the association held a meeting two or three evenings after I got there, and elected a judge, &c., Mr. Grover, marshal, and organized a company, I think they called it the "Shot-gun Battalion," for the purpose of preventing persons that did not belong to their association from settling about the place, and taking timber and stone from the claims of those who did live there. They said there was no law in the Territory; that the organic act was unconstitutional, made so by the repeal of the Missouri compromise; and that they intended to form an association, and make and enforce their own laws, irrespective of the laws of Congress, until there should be a change in Congress, by which the Missouri compromise could be restored and the organic act set aside.

There was no open opposition to the execution of the law until Governor Reeder appointed justices of the peace, and one or two members of the association were arrested. They refused to recognize the power of the justice of the peace, and refused to attend as witnesses, and would only attend their own provisional court, as they called it.

When the legislature was about to be elected, they held a meeting and brought out their candidates. After the legislature was elected, and before they met, there were several meetings held in Lawrence, and, at those meetings, they passed resolutions declaring they would submit to no laws passed by that legislature. This was what was called the Lawrence Association, different from the town association. It was composed of men sent out under the auspices of the Emigrant Aid Society, and Dr. Robinson was at the head of the association. Many belonging to this association lived in different parts of the Territory. They were allowed to vote at the meetings of the association, which I sometimes attended; and those who were not enrolled as members of the association, were not allowed to vote or debate at their meetings. Some of them lived at Ossawatimie, Topeka, Manhattan, and other places in the Territory. They resolved not to obey the laws that would be passed by the legislature, and only obey their own provisional laws, until they could form a provisional government for the Territory.

The first general meeting, while the legislature was in session, was

held in July or August, 1855. Before that time, their meetings had been of the association, but this was the first general meeting. That was the first meeting at which I recollect hearing Colonel Lane take ground, in opposition to the laws, that the legislature then in session should pass. All the public speakers that I heard there said they did not intend to obey the laws that would be passed, but intended to form a provisional government for themselves.

After the legislature adjourned, the first meeting at which I heard any declarations with regard to the resistance of the laws was held at Blanton's bridge. Colonel Lane, Mr. Emery, and Mr. John Hutchinson addressed the meeting, urging the people to resist the laws, let the consequences be what they might. In private conversation with those men, they always expressed their determination to resist the laws, and said the officers and posse should not enforce the laws. They said they had a new code of laws called Sharp's Revised Statutes, and they were going to use them in preference to any others. It was a common remark that they would use Sharp's Revised Statutes in preference to any others.

I think the first box of rifles came there marked Revised Statutes. I think after Mr. Dietzler came back, he said he brought the rifles with him. When they were brought to Lawrence, they wanted to put them in my warehouse. They were laying at my door, and I enquired what they were, and Mr. Saulter, who was keeping the warehouse for me, said they were emigrant aid guns. I objected to their being put in my warehouse, and they were taken and put in Mr. Simpson's office. I told them I would not be the first to harbor guns brought there for revolution. I often expostulated with Lane, Robinson, and others, both publicly and privately, as to their course, and addressed the meeting at Blanton's Bridge in opposition to that course. They said they would resist the laws regardless of consequences.

The next public meeting I recollect of was the Big Spring convention. At that convention I had but little conversation, except with Governor Reeder and Judge Johnson. Prior to the meeting, several days, Governor Reeder came up to our place. I heard that he was urging the people to resist the laws, and do so by setting a different day for the election of delegate to Congress on which he should be voted for. I called on him at his room, and asked him if he had recommended that course, and he said that he had intended to have returned to Pennsylvania, but upon reflection he had concluded that if they would take that course at the convention, he would be a candidate for Congress, and had returned from Kansas city where he had taken his trunks and baggage. He said he had understood, since he came there, that Lane, Roberts, and others would be candidates before the convention, but if they would withdraw, and the course he had indicated was taken, he would be a candidate for Congress. He said it would give him an opportunity to bring the matter before Congress, and, with the majority they had then in Congress against the democratic party, he thought he could succeed in ousting General Whitfield if elected. A meeting was held in Lawrence, and it was agreed upon that a different day should be fixed upon for the election, and the candidates who were there, Robinson, Lane, and some others, agreed to withdraw in favor of Governor Reeder. This was four or five days before the Big Spring convention.

I rode up to that convention in company with General Pomeroy, who invited me to go up with him. At the convention I had another conversation with Governor Reeder. We had always been on the most intimate terms, and I talked with him as I would with any friend. I talked with him, and said that I thought that by taking that course, and thereby repudiating the laws, it would bring a state of anarchy upon the Territory that he nor I would probably live to see the end of. I said it would be opening the door and giving an invitation to outlaws outside of the Territory to come and make that the field of operations; that it would bring about a state of things that would be injurious to the country by preventing capitalists from risking their means in such a country. He replied that he thought differently: that they had determined to adopt the platform of the Topeka convention, held before that time, recommending the formation of a provisional government. I think he took a pencil and drafted a resolution recommending the calling of a convention to form a State constitution. He said he would offer that resolution, they could go on and form their State constitution, appoint an executive committee to issue a proclamation calling for the election of delegates to form a free State constitution, and they would elect their members to the legislature, pass their laws, and if Congress did not admit them, they would pass their own laws, and go on independently of Congress until such time as they could be admitted. I remarked that would bring them immediately in conflict with the acts of the territorial legislature, one or the other of which must become supreme, and I thought it would necessarily bring on a collision between the two opposing parties, and involve the country in an armed difficulty. He replied that they had made up their minds to resist the laws, and by forming a free State constitution they could get the aid and sympathy of the north to help them to enforce their provisional laws; that they were determined to resist the territorial laws. That was about the substance of the conversation.

In his speech before the convention he urged them to resist the territorial laws at all hazards. I have read the speech of Governor Reeder as reported in the proceedings of the Big Spring convention, in a printed copy now before me, and I cannot say that it contains all his speech. He spoke for an hour or a little over an hour. I understood him distinctly to say this, that he wanted them if they had any regard for their rights not to appeal to the laws for redress, nor answer others if appealed to. He called them "bogus" laws, meaning thereby the territorial laws. That I think is about the substance of what he said.

I came down home, I believe, in company with Judge Johnson, who disapproved of the course adopted. I had conversations with Governor Reeder afterwards, but we held our respective positions.

A proclamation was issued by what was called the executive committee, calling an election for State officers and legislature, a convention to form a State constitution having met and formed a State constitution. I talked with Lane and Robinson often about this matter. There were free State men in Lawrence who opposed this course, and oppose it yet. I myself co-operated with the free State party until they took these revolutionary steps, and then I left them. I lived in Illinois twelve years before I came to this Territory.

WESTPORT, MISSOURI, June 2, 1856.

J. N. O. P. WOOD.

ELECTION OF DELEGATES

TO THE

CONVENTION OF OCTOBER 9, 1855.

FIRST DISTRICT.—*Blanton Precinct.*

Poll-book of voters for delegates to convention to form a constitution, &c.

1 J. K. Goodin	38 A. R. Smith
2 J. R. Kenedy	39 A. W. Mobley, jr.
3 Charles Dickson	40 Wm. Parks
4 L. S. Houghton	41 Leonard Crame
5 L. Smith	42 C. W. Dowe
6 Ira Brown	43 A. D. Todd
7 Edward Jones	44 O. P. Kenedy
8 Julius Fairfield	45 Jacob Bronson
9 John T. Moor	46 Augustin W. Mabery
10 Enan C. Griffith	47 J. W. Hayne
11 Ernest Smith	48 F. P. Vaughn
12 T. E. Whitlock	49 W. H. Carles
13 Lewis Stagers	50 Simeon Gillson
14 A. Still	51 Alisha F. Mayo
15 Samuel G. Johnson	52 William Livermore
16 Collins Holloway	53 W. D. Jenerson
17 Robert Irvin	54 Philip T. Hupp
18 W. J. Kenedy	55 Samuel Jones
19 John E. Stewart	56 Stephen Ogden
20 B. Abott	57 Enoch Howland
21 J. Ogden	58 William Soule
22 R. P. Mow	59 Andrew T. Still
23 Thomas C. Still	60 Lewis Howland
24 R. D. Norton	61 Hugh Pettengill
25 Amasa Sole	62
26 Samuel S. Burgess	63 Virgil Pierce
27 J. Eliot	64 Joseph Eberhart
28 Seth Rodibough	65 Louis S. Eberhart
29 William Estabrook	66 Henry S. Eberhart
30 James A. Coffey	67 Bethuel Hitchcock
31 Samuel Gill	68 Wm. Meairs
32 P. S. Hutchison	69 Harrison Nichlos
33 H. F. Saunders	70 L. H. Rowley
34 T. B. Smith	71 A. F. Bercauw
35 Levi W. Plumb	72 W. Bennett
36 E. A. Landon	73 N. B. Blanton
37 James Whaly	74 John Derby.

We, the undersigned, judges and clerks of election, hereby certify that the whole number of votes cast at an election held at Blanton precinct, in Kansas Territory, on the second Tuesday of October, 1855, it being the 9th day of said month, between the hours of 10 o'clock, a. m., and 4 o'clock, p. m., of said day, "for delegates to a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government preparatory to the admission of Kansas as a State," was seventy-four votes.

We, the judges and clerks of said election, further certify that the said voters were white male inhabitants, citizens of the United States, above the age of twenty-one years, bona-fide residents of said Territory of Kansas, having actually resided therein for the period of thirty days immediately preceding said election day.

OCTOBER 9, 1855.

JULIUS ELIOT,
PAUL JONES,
N. B. BLANTON,
Judges.

WILLIAM MEAIRS,
E. W. BENNETT, *Clerks.*

We, the judges and clerks of election, hereby certify, that at an election held at Blanton precinct, Kansas Territory, on the 9th of October, 1855, for delegates to a convention to form a constitution, adopt a bill of rights for the people of Kansas, &c.,

Charles Robinson has received	67 votes.
J. H. Lane	70 "
G. W. Smith.....	70 "
J. K. Goodin.....	61 "
Edward Jones.....	30 "
Morris Hunt.....	72 "
Abraham Still.....	40 "

And we further certify, that the voters were free white male inhabitants, citizens of the United States, and residents of Kansas Territory, who have had, and now have, a *bona fide* residence therein.

JULIUS ELIOT,
PAUL JONES,
N. B. BLANTON,
Judges.

WILLIAM MEAIRS,
E. W. BENNETT, *Clerks.*

Tally-list for delegates to convention.

C. Robinson.....	67
J. H. Lane.....	70
G. W. Smith.....	70
J. K. Goodin.....	61
Morris Hunt.....	72
Abraham Still.....	40
Edward Jones.....	30

The duplicate tally-list is certified as follows:

We, the officers of election held at Blanton's, on the Wakarusa, the 9th day of October, 1855, do certify that (etc. as above) at an election held in Blanton precinct, in Kansas Territory, between the hours of 10 o'clock, a. m., and 4 o'clock, p. m., of said day, for delegates to a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government, preparatory to the admission of Kansas as a State.

We, the judges and clerks of said election, further certify, upon our oaths, that the said voters were white male inhabitants, citizens of the United States, above the age of twenty-one years, *bona fide* residents of said Territory of Kansas, having actually resided therein for the period of thirty days immediately preceding said election day.

[Signed as above.]

OCTOBER 9, 1855.

FIRST DISTRICT.—*Palmyra Precinct.*

Poll-book of voters participating in the election of delegates to the constitutional convention.

James H. Fiser	Salem Gleason
Jacob Canterell	Elizur Hill
John Roe	Henry Barricklow
Henry Barricklow	William Roe
Hiram McAlister	Robert Pearson
T. W. Lyon	Charles Augustus Kiser
Thomas Miller	David Eldred
Joseph Barricklow	John P. Lehe.

Tally-list of votes cast on this ninth day of October, 1855, for delegates to a convention to form a constitution.

C. Robinson.....	16
J. H. Lane	16
G. W. Smith.....	16
J. K. Goodin.....	16
Edward Jones.....	16
Morris Hunt.....	16

We, the judges and clerks of this election, hereby certify upon our oaths, that on this, the 9th day of October, 1855, Joseph H. Lane has received sixteen votes, C. Robinson sixteen votes, G. W. Smith sixteen votes, J. K. Goodin sixteen votes, Edward Jones sixteen votes, Morris Hunt sixteen votes, for delegates to a convention to form a consti-

tution, adopt a bill of rights for the people of Kansas, and take all necessary steps preparatory to our admission into the Union as a State. And we further certify, that the same were free white male inhabitants, citizens of the United States, above the age of twenty-one years, who have had a *bona-fide* residence in the Territory for the space of thirty days immediately preceding this election.

SALEM GLEASON,
HENRY BARRICKLOW,
ELIZUR HILL,

Judges

JOSEPH BARRICKLOW,
WILLIAM ROE, *Clerks.*

SECOND DISTRICT—*Bloomington Precinct.*

List of voters.—Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855, at the house of Harrison Burson, in the town of Bloomington, in the second election district in Kansas Territory.*

1 James A. Nelson	27 H. R. Rason
2 Edward Borton	28 Wm. Watson
3 Dudley Bryant	29 J. B. F. McPherson
4 Isaac Stout	30 Wm. Sacket
5 Andrew White	31 E. W. Smith
6 James Hud	32 Lemuel Woodard
7 Thomas R. Hud	33 Joseph Bryant
8 Thomas W. Barber	34 Henry W. Tick
9 Aaron Sims	35 George W. Snyder
10 Wm. Richap	36 H. T. Waterfield
11 A. J. Corbert	37 R. F. Barber
12 Chas. C. Emery	38 S. M. Pearson
13 Geo. Cosby	39 A. Curtis
14 H. A. Cosby	40 Samuel Smith
15 Joseph Oakley	41 Samuel Jones
16 Wm. Haseltine	42 Thomas W. Barber
17 Theo. Edwards	43 L. Duffy
18 John Brannan	44 Samuel Walker
19 Daniel Vansill	45 Thos. Wolverton
20 John Scott	46 Geo. Buffum
21 O. L. Spradling	47 David C. Buffum
22 John Hatfield	48 Thos. Woodard
23 J. Z. Peterfish	49 Geo. O. Beam
24 R. J. Haseltine	50 Joseph Oakley
25 J. Roberts	51 Isaac Davis
26 A. E. Love	52 Edward Oakley

* By mistake, the list of voters was put under the head of "tally-list."

53 Robert Allen	85 J. H. Wood
54 Henry Alderman	86 Robert Hudson
55 N. Allguire	87 Henry Lewis
56 Alfred Peck	88 Warner Stowie
57 J. A. Wakefield	89 Daniel W. Lewis
58 Stephen Dunken	90 Charles B. Bailey
59 J. H. Tuton	91 John R. Lewis
60 H. Burson	92 Aaron E. Platt
61 M. Cayton	93 J. C. Casebier
62 John Moss	94 Benjamin Stowie
63 E. S. Jewett	95 Harrison Wood
64 Geo. W. Perse	96 Zadoc Bhur
65 Geo. W. Zinn	97 Robt. Buffum
66 Saml. Paal	98 J. L. Spear
67 Richard Day	99 Henry Smith
68 James Dunn	100 Saml. Casebier
69 James R. Moss	101 William Byerly
70 Samuel Canaday	102 Ebenezer Archibald
71 C. C. Scofield	103 John C. Archibald
72 Wm. McCready	104 C. W. McCormick
73 E. Diabro	105 J. J. Miller
74 Andrew S. Baldwin	106 J. C. Lamm
75 David J. Casebier	107 Marguis Kelso
76 Henry L. Baldwin	108 Willis Myers
77 John Dewitt	109 H. B. Lacy
78 G. W. Runber	110 Isaac Shirley
79 Kinsey Lamm	111 Joseph Cathler
80 Richard Miller	112 William Glen
81 Abel Yates	113 Alexander Glen
82 A. J. Smith	114 D. Aikin
83 Michael Albin	115 D. C. Blakely
84 G. Norton	116 William Draper.

Before the polls were opened, the judges administered to each other the following oath, and at the same time to the clerks:

We do swear that we will perform our duty as judges of the election, held at the house of Harrison Burson, in the second election district of the Territory of Kansas, on the 9th day of October, 1855, for four delegates to frame a State constitution, and a delegate to Congress, to the best of our judgment and ability; that we will keep a true, correct, and faithful record or list of all persons who shall vote at said election; that we will poll no ticket from any person who is not an actual inhabitant and resident of said Territory, and who we shall not honestly believe to be a qualified voter, according to the provisions of the act of Congress organizing said Territory; that we will reject the votes of all non-residents who we shall believe have come into this Territory for the mere purpose of voting; that in all cases where we are ignorant of the voter's right, we will require legal evidence thereof, by his own oath, or otherwise; and that we will truly count and record the votes received, and make

true and faithful return thereof to the executive committee of Kansas Territory.

Sworn and subscribed October 9th, 1855, previous to opening the polls, before me, one of the judges of the election.

SAMUEL WALKER,
ROBERT BUFFUM,
G. W. MEHERGER,
Judges of the election.

E. S. JEWETT,
THOS. B. WOLVERTON, *Clerks.*

We, the undersigned judges and clerks of election, hereby certify upon our oaths, that the following persons have received votes for delegates to frame a State constitution for Kansas Territory :

John A. Wakefield received one hundred and sixteen votes ; Alfred Curtis received one hundred and sixteen votes ; J. M. Tuton received one hundred and sixteen votes ; Harrison Burson received one hundred and sixteen votes, cast at an election held at the second election district, in Kansas Territory, on the second Tuesday of October, 1855, it being the ninth day of said month, between the hours of 10 o'clock, a. m., and 4 o'clock, p. m., of said day, for delegates to a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government, preparatory to the admission of Kansas as a State. We, the judges and clerks of said election, further certify upon our oaths, that the said voters were white male inhabitants, citizens of the United States, above the age of twenty-one years, bona-fide residents of said Territory of Kansas, having actually resided therein for the period of thirty days immediately preceding said election day.

OCTOBER 9, 1855.

SAMUEL WALKER,
G. W. REMBERGER,
ROBERT BUFFUM,
Judges.

Attest : E. S. JEWETT,
T. B. WOLVERTON, *Clerks.*

SECOND DISTRICT—Benicia Precinct.

Poll-book.—List of voters who have cast their ballots for delegates to a convention to form a constitution for Kansas, on this second Tuesday, the ninth day of October, A. D. 1855.

1 P. B. Harris	9 J. H. Furman
2 Joel Montgomery	10 H. E. Brooks
3 Nanno Smith	11 John H. Lyon
4 Owen Taylor	12 John Spaulding
5 Owen T. Bassett	13 H. Hobbs
6 Alphonso Jones	14 F. Barker
7 Andrew Marks	15 Ephraim Conner
8 Charles Smith	16 H. H. Conner

17 Edward Jones	23 J. H. Shemmons
18 W. Phillips	24 John Phillips
19 V. Cornic	25 Wm. Loyd
20 V. Wickens	26 Wm. Hall
21 Nathan Hackett	27 Henry Learned.
22 Joel Phillips	

We, the undersigned judges and clerks of election, hereby certify upon our oaths, that the whole number of legal votes cast at an election held at Benicia precinct, in Kansas Territory, on the second Tuesday of October, 1855, it being the ninth day of said month, between the hours of 10 o'clock, a. m., and 4 o'clock, p. m., of said day, for the election of delegates to a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government, preparatory to the admission of Kansas as a State, was twenty-seven.

We, the said judges and clerks, further certify upon our oaths, that the said voters were white male inhabitants, citizens of the United States, above the age of twenty-one years, bona-fide residents of said Territory of Kansas, having actually resided therein for the period of thirty days immediately preceding said election day.

OCTOBER 9, 1855.

P. B. HARRIS,
O. T. BASSETT,
J. H. SHEMMONS,
Judges.

Attest: ALPHONSO JONES,
O. T. BASSETT, *Clerks.*

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

A. Curtis.....	27 votes.
H. Burson.....	27 “
J. A. Wakefield.....	24 “
J. M. Tuton.....	27 “

We, the undersigned judges and clerks of election, hereby certify upon our oaths, that A. Curtis has received twenty-seven votes, H. Burson has received twenty-seven votes, J. A. Wakefield has received twenty-four votes, and J. M. Tuton has received twenty-seven votes, cast at an election held at Benicia precinct, in Kansas Territory, on the second Tuesday of October, 1855, it being the ninth day of said month, between the hours of 10 o'clock, a. m., and 4 o'clock, p. m., of said day, for delegates to a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government, preparatory to the admission of Kansas as a State. We, the judges and clerks of said election, further certify upon our oaths, that the said voters were white male inhabitants, citizens of the United States, above the age of twenty-one years,

bona-fide residents of said Territory of Kansas, having actually resided therein for the period of thirty days immediately preceding said election day.

OCTOBER 9, 1855.

O. T. BASSETT,
P. B. HARRIS,
J. H. SHEMMONS,
Judges.

Attest: O. T. BASSETT,
ALPHONSO JONES, *Clerks.*

THIRD DISTRICT.—*Washington Precinct.*

Poll List.

Edmund Brown
Merritt Shulkeln
Jesse M. Roberts
Wm. C. Jones
Geo. W. Gilman
Daniel R. Lawson
Joseph K. Lawson
Wm. R. Frost
Eli Allen
T. V. Rush
Wm. Riley
John Roorback
Wm. Y. Roberts
Joseph Molton
Geo. S. Ramsey
S. J. Acklin
Ephraim Banning

Wm. A. Cardwell
Solomon G. Reffer
H. A. Custard
Paul Shepherd
H. P. Galan
Caleb Antrim
Wm. Harper
Stephen Scott
Alexander Wells
Wm. T. Kerby
Wm. B. Kerth
Benjamin Moore
Peter Eppison
Barnet Foyle
Henry F. Huffer
R. W. Custard.

GEO. S. RAMSEY,
S. J. ACKLIN, *Clerks.*

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the 9th day of October. 1855.

C. K. Holliday.....	33 votes.
Wm. Y. Roberts.....	33 “

We, the undersigned judges and clerks of election, hereby certify upon our oaths, that Wm. Y. Roberts and C. K. Holliday have each received thirty-three votes, cast at an election held at Washington, Big Spring precinct, in Kansas Territory, on the second Tuesday of October, 1855, it being the 9th day of said month, between the hours of 10 o'clock, a. m., and 4 o'clock, p. m., of said day, for delegates to a

convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government, preparatory to the admission of Kansas as a State. We, the judges and clerks of said election, further certify upon our oaths, that the said voters were white male inhabitants, citizens of the United States, above the age of twenty-one years, bona-fide residents of said Territory of Kansas, having actually resided therein for the period of thirty days immediately preceding the said election day.

WASHINGTON, *October 9, 1855.*

ELI ALLEN,
WILLIAM RILEY,
W. R. FROST,
Judges.

Attest: GEO. S. RAMSEY,
SAMUEL J. ACKLIN, *Clerks.*

THIRD DISTRICT.—*Tecumseh Precinct.*

Poll-list of voters for delegates to constitutional convention, October 9, 1855.

Orlando Moffet	John McPherson
John Morris	Anderson Delop
J. Tyler	Samuel Updegraff
C. W. Moffet	George Osborn
M. M. Robinson	William Hook
J. Vorhies	A. M. Jourdan
Francis Grasmuck	Patrick Feril
Andrew Jones	J. Stephenson
M. J. Mitchell	William Kasten
George C. McCormick	N. L. Williams
D. Updegraff	Isaiah Cox
John Carsgal	Theodore Jones
Osborn Naylor	William Norton
James Brown	E. R. Moffett
Hiram Shields	Lee Tewell.
Wm. H. Morris	

Tally-list for delegates to constitutional convention, October 9, 1855.

William Y. Roberts.....	31 votes.
C. K. Holliday.....	31 “

FRANCIS GRASMUCK,
C. W. MOFFET, *Judges.*

Attest: M. M. ROBINSON,
M. J. MITCHELL, *Clerks.*

Certificate in usual printed form "that William Y. Roberts and C. K. Holliday received thirty-one votes each," &c., &c.

OCTOBER 9, 1855.

FRANCIS GRASMUCK,
JOHN MORRIS,
C. W. MOFFET, *Judges.*

Attest: M. M. ROBINSON,
M. J. MITCHELL, *Clerks.*

THIRD DISTRICT.—*Third and Seventh Precincts.*

Poll-list.

1 Wm. A. Simerwell	13 Lindsey T. Cook
2 Walter W. Philips	14 James Gillpatrick
3 Geo. W. Pigott	15 F. E. Hood
4 Robert Turner	16 William Matam
5 William Turner	17 Sam. Rainey
6 J. D. Wood	18 John W. Brown
7 T. J. Anderson	19 John Baxter
8 William Armstrong	20 Wm. F. Johnston
9 Darius W. Herald	21 Geo. S. Holt
10 S. H. Hill	22 David P. Hammond
11 William Handly	23 James Hammond
12 Sam'l Cavender	24 Aurelius Bowen.

Tally-list.

Andrew H. Reeder.....	24 votes.
C. K. Holliday.....	19 "
W. Y. Roberts.....	19 "
P. C. Schuyler.....	5 "

The certificate is in the usual printed form, "that C. K. Holliday and W. Y. Roberts have received nineteen votes each, and P. C. Schuyler has received five votes, cast at the election held at the house of W. W. Philips, in part of the 3d and 7th precincts," &c.

Signed Oct. 9, 1855.

JOHN W. BROWN,
W. F. JOHNSTON,
GEO. S. HOLT,
Judges.

Attest: W. F. JOHNSTON,
GEO. S. HOLT, *Clerks.*

THIRD DISTRICT—*Topeka Precinct.**Poll-list of voters for delegates to convention to form a constitution.*

Joseph C. Miller	John B. Horn
F. L. Crane	P. O. Conner
George Davis	Charles Wilber
Leonard W. Horn	A. Doane
Sanford Hews	D. Canperos
James C. Disney	Charles Sarden
Enoch Chase	G. F. Callog
J. C. Gordon	D. W. Cleaveland
George F. Boyd	F. W. Giles
Isam Chadwick	J. F. Cummins
David Smith	Israel Zimmerman
E. C. K. Gawes	John A. Wirt
M. C. Martin	H. P. Waters
William P. Thompson	F. G. Thornton
Hiram Higgins	M. C. Dickey
R. L. Mitchell	David Stofield
H. B. Burgess	Henry Stofield
T. McIntire	C. K. Holliday
John Long	A. F. Whitney
E. S. Dexter	J. T. Jones
Lervin Farnsworth	Wm. W. Henderson
O. C. Nicholas	Charles Creitz
Francis Davis	John Fletcher
Daniel H. Horn	Samuel Harriot
Horatio Fletcher	Ephraim Harriot
Abel F. Hartwell	Robert H. Matthews
Daniel Hall	Charles A. Gray
Philip Briggs	Eugene Parker
L. Shadie	D. Mineum
M. Birch	William F. Cretez
Elnathan Trask	W. L. Brigden
William Scales	Thomas C. Stevens
James Chadwick	Harvey Young
Christopher Leonard	C. G. Howard
Parsons Haskell	R. M. Luce
Charles Farnsworth	J. F. Meriam
Ambrose W. Ford	A. A. Ward
Benjamin F. Getchel	Charles A. Sexton
George B. French	H. H. Wentworth
A. W. Moore	Charles Masley
Barney Miller	Edward Plummer
J. W. Emmerson	Leroy S. Bown
Leonard Wendell	Joseph H. Chase
Daniel Sayres	Jacob B. Chase
William R. Dyre	M. K. Smith
John Kitchey	Joseph L. Young
David H. Moore	C. L. Terrell

Augustus H. Barnard
S. E. Martin
Thomas H. Taylor
Julius D. Clarkson
Joseph L. Young, jr.
D. Banta
James Tregart
J. Willets
S. N. Frazier
Hiram C. Coval
William Miles
George H. Wood
L. G. Cleaveland

Philip Ingraham
William C. Lencker
Thomas W. Scudder
James McAnany
William M. Jordan
H. B. Cowles
James Cowles
Lemuel Burson
John Martin
William R. Boggs
O. H. Drinkwater
Andrew S. Waters.

Tally-list.

C. K. Holliday.....	104 votes.
W. Y. Roberts.....	94 “
J. Cowles.....	14 “
H. H. Wentworth.....	12 “
Edward Segroves.....	2 “
Sanford Henry.....	1 “
Wentworth and Cowles.....	1 “
Coles and Segroves.....	1 “

The certificate is in the usual printed form, and certifies “that C. K. Holliday has received one hundred and four votes, W. Y. Roberts ninety-four votes, J. Cowles fourteen votes, H. H. Wentworth twelve votes, Edward Segroves two votes, Sanford Henry one vote, Coles and Segroves one vote, Wentworth and Coles one vote.

[Signed, &c.]

TOPEKA, K. T., October 9, 1855.

HENRY P. WATERS,
MILTON C. DICKEY,
F. L. CRANE, *Judges.*

Attest: ISRAEL ZIMMERMAN,
JOHN A. WIRT, *Clerks.*

THIRD DISTRICT—*Camp Creek Precinct.*

List of voters who cast their ballots for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

1 Hiram H. Heberling
2 W. T. Stout
3 John Kinney
4 John G. Fulton

5 Eli B. Dailey
6 George Strobbridge
7 H. M. Canfield.

Tally-list for candidates for constitutional convention.

C. K. Holliday	7 votes.
William Y. Roberts	7 "

We, the undersigned judges of an election held at the house of Hiram H. Heberling, in the third election district, on the 9th day of October, A. D. 1855, do certify upon our oaths as judges of said election, that the above is a true and correct return of the votes polled for members of constitutional convention by lawful resident voters.

HIRAM H. HEBERLING,
JOHN KINNEY, *Judges.*

HENRY M. CANFIELD,
GEO. STROBRIDGE, *Clerks.*

FOURTH DISTRICT.—*Willow Springs Precinct.*

Poll-book of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

A. J. Miller	J. P. Moore
Charles Legg	T. J. Mewhinney
Theron E. Curtis	Sam'l Mewhinney
H. W. Hyde	Thos. McCowan
Nathaniel Parker	Wm. Moore
Mansfield Carter	Sam'l Workman
Franklin Barns	C. Howard Carpenter
Archibald Harris	S. T. Shore
D. B. Hyde	Benjamin Fell
Joseph Banks	E. G. Holt
A. B. Gillerland	David Hendrilik
Thos. Doaty	A. F. Powell
Silas H. Moore	R. N. Pearson
C. H. Far	Silas Dexter
J. F. Javans	Patrick Claharn
William Graham	C. P. Holt
Peter Bassinger	Albert Whitcomb
J. E. Carpenter	Gideon Seymore
Wm. Mewhinney	Wm. B. Haydon
John Wilson	J. D. Hope
J. G. Moore	Washington M. Bulharon
John Eddy	Elkanah Timons
Wm. Harris	A. R. Banks
S. B. McManners	Perry Fuller
Levi Doaty	Aaron Moore
Geo. Ripley	Wm. C. Sadler
Wily Jones	Wm. B. Sowens.
S. Cleaveland	

We, the undersigned judges and clerks of election, hereby certify upon oath, that the whole number of legal votes cast at an election held at Willow Springs precinct, in Kansas Territory, on the second Tuesday of October, 1855, it being the ninth day of said month, between the hours of 10 o'clock, a. m., and 4 o'clock, p. m., of said day, for delegates to a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government preparatory to the admission of Kansas as a State, to be fifty-five.

We, the judges and clerks of said election, further certify, upon our oaths, that the said voters were white male inhabitants, citizens of the United States, above the age of twenty-one years, bona-fide residents of said Territory of Kansas, having actually resided therein for the period of thirty days immediately preceding said election day.

OCTOBER 9, 1855.

C. HOWARD CARPENTER,
SAMUEL WORTMAN,
WILLIAM MOORE,

Judges.

Attest: THOS. McCOWAN,
SAM'L T. SHORE, *Clerks.*

Tally-list.

S. Mewhinney	55
Wm. Graham	55

Judges' Return.

We, the undersigned judges of an election held on the 9th of October, A. D. 1855, at the house of Samuel Mewhinney, in the Willow Springs precinct, 4th election district, for the election of delegates to a constitutional convention, to be held at Topeka on the fourth Tuesday of October, A. D. 1855, do hereby certify, upon our oath, as judges of said election, that the following is a true and correct return of the votes polled at such election by lawful resident voters, namely: S. Mewhinney, fifty-five; Wm. Graham, fifty-five.

SAMUEL WORTMAN,
WILLIAM MOORE,
C. HOWARD CARPENTER,
Judges.

FIFTH DISTRICT—*Hampden Precinct.*

Poll-list of voters for delegates to convention, October 9, 1855.

John Evans
Andrew Harrington

Stephen P. Pepper
Franklin Pease

Charles J. Burkee
 Richard Knight
 Charles R. Newcomb
 William A. Elas
 James Headdens
 George M. Abbey
 Alberto Hill
 William Blasdale
 Caleb T. Atheam
 Matthew Blasdale
 Joseph B. Weatherby
 John L. Mellen
 William W. Higgins
 John P. Pepper
 Chauncy Morse

George Law
 Luther C. Smith
 Charles Morse
 Hartwell F. Turner
 Tallmadge M. Church
 Thomas Y. Proctor
 J. A. D. Clark
 Silas Smith
 Amasa B. Sampson
 Thomas Richards
 Phineas Knowlton
 Fenton Bayley
 Lucius Morse
 Loomis Richards.

Certificate in usual form, (signed.)

W. A. ELAS,
 S. P. PEPPER,
 CHARLES J. BURKEE, *Judges.*

Attest: RICHARD KNIGHT, *Clerk.*

"We, the undersigned judges and clerks of election, hereby certify upon our oaths that William F. Turner, James M. Arthur, M. J. Morris, Orville Brown, Frederick Brown, and Richard Knight, have received thirty-three votes cast at an election held at Hampden precinct," &c., &c., as in the printed form.

HAMPDEN, October 9, 1855.

W. A. ELAS,
 S. P. PEPPER,
 CHARLES J. BURKEE, *Judges.*

Attest: RICHARD KNIGHT, *Clerk.*

FIFTH DISTRICT.—Osawatomie Precinct.

Poll-book.—List of voters who have cast their ballots for delegates to a convention to form a constitution for Kansas, at an election held on this second Tuesday, the ninth day of October, 1855, at the house of Mr. White, Osawatomie.

1 Curtis Jackson
 2 Amos Finch
 3 O. C. Brown
 4 C. G. Grout
 5 John Carr
 6 Harvey Jackson
 7 Wesley H. Pinnell
 8 Joel Goodrich
 9 John P. Glen
 10 Charles A. Foster

11 Bartow Darrach
 12 John Telton
 13 J. H. Houser
 14 Wm. Chesnut
 15 John Goodrich
 16 Henry Carson
 17 Morgan Cronkhite
 18 Orran Williams
 19 B. F. Huskins
 20 Samuel Fisher

21 Samuel Adair	45 C. F. Lake
22 Cornelius W. Yocum	46 George R. Ferris
23 James Stotts	47 Asa S. White
24 William Saling	48 Thomas J. Hammond
25 R. C. Cottle	49 Jackson Black
26 Richard Saling	50 Jackson Hendricks
27 Benjamin Woodbury	51 Alfred Lossing
28 Johnson Dow	52 M. A. Fairchilds
29 Elias Higgins	53 James Williams
30 Richard Mendenhall	54 John Rose
31 Jesse Pickering	55 John C. Hendy
32 Crawford Oliver	56 Francis Brenan
33 Henry Cox	57 Edmund Avery
34 E. W. Collins	58 J. B. Higgins
35 N. J. Roscoe	59 John Richison
36 J. B. Bingham	60 Harmon Dace
37 J. W. Troy	61 Joseph Redfield
38 Orville Nicols	62 George W. Phillips
39 Horace Norton	63 Samuel Geer
40 John C. Lowman	64 Caleb Sharar
41 Levi Fenner	65 Charles H. Crone
42 John Benning	66 Thomas Hitchings
43 Wm. C. Childers	67 William Quick.
44 James H. Houser	

The certificate as to the number and qualification of voters is in the usual form, signed as follows:

OSAWATOMIE, October 9, 1855.

WM. CHESNUT,

JOHN TELTON,

Judges.

Attest: B. DARRACH,

CHARLES A. FOSTER, Clerks.

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, at an election held on this second Tuesday, the ninth day of October, A. D. 1855, at the house of Mr. White, in Osawatimie, fifth election district. Whole number of votes 67.

Wm. T. Turner had.....	67 votes.
James M. Arthur.....	67 "
M. T. Morris.....	66 "
Orville C. Brown.....	66 "
Richard Knight.....	67 "
Hamilton Smith.....	66 "
N. G. Nicols.....	3 "
Frederick Brown.....	64 "
William G. Nichols.....	64 "

The certificate is correct "that the above-named persons had received the number of votes set against their respective names, cast at

an election held at Osawatimie precinct," &c., &c., as in the printed form.

OCTOBER 9, 1855.

WILLIAM CHESNUT,
JOHN TELTON,
SAMUEL H. HOUSER,
Judges.

Attest: B. DARRACH,
CHARLES A. FOSTER, *Clerks.*

FIFTH DISTRICT.—*Little Osage Precinct.*

Poll List.

Daniel Henderson	John Wagoner
John A. Wakefield	James Curry
Ambrose Ripley	Daniel Francis
William T. Curry	Wm. H. Wilson
David C. Forbes	Stephen M. Overbey
Allen Beeson	Samuel M. Jennings
John Spears	Thomas Osborn
John Sutton	William Stone.

Tally-list for delegates to a convention to form a constitution.

William T. Turner.....	16 votes.
James M. Arthur.....	16 "
M. T. Morris.....	16 "
Orville C. Brown	16 "
Frederick Brown.....	16 "
Richard Knight.....	16 "
Hamilton Smith	16 "
David C. Forbes.....	16 "

We, the undersigned judges and clerks of election, do hereby certify upon our oaths, that the whole number of legal votes cast at an election held at Little Osage precinct, in Kansas Territory, on the second Tuesday of October, 1855, it being the ninth day of said month, between the hours of 10 o'clock, a. m., and 4 o'clock, p. m., of said day, for the election of delegates to a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government, preparatory to the admission of Kansas as a State, to be a free white State, to be sixteen.

We, the said judges and clerks, further certify upon our oaths, that said voters were white male inhabitants, citizens of the United States, above the age of twenty-one years, bona-fide residents of said Territory of Kansas, having actually resided therein for the period of thirty days immediately preceding said election day.

OCTOBER 9, 1855.

WILLIAM STONE,
THOMAS OSBORN,
Judges.

Attest: SAMUEL M. JENNINGS,
JOHN WAGONER, *Clerks.*

FIFTH DISTRICT.—*Neosho Precinct.*

Poll-book.—List of voters who cast their ballots for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

1 Levi E. Hubble	8 Hiram Hoover
2 John H. Bowen	9 Sampson Depain
3 Morgan Dix	10 Thomas Bowen
4 Enos Strawn	11 John D. Beetz
5 Hamilton Smith	12 Hiram Harr
6 Joseph Creeil	13 William R. Vail.
7 Hiram D. Depew	

(The certificate as to the number and qualifications of the voters is in the usual form, signed as follows):

OCTOBER 9, 1855.

MORGAN DICKS,
THOMAS BOWEN,
HIRAM HOOVER,

Judges.

Attest: ENOS STRAWN,
WM. K. VAIL, *Clerks.*

Tally-list for delegates to a convention to form a constitution.

Hiram Hoover.....	13
Mahlon T. Morris.....	9
James M. Arthur.....	9
William R. Turner.....	8

The certificate is in the usual printed form "that Hiram Hoover has received thirteen votes, Mahlon T. Morris nine votes, J. M. Arthur nine votes, William R. Turner eight votes, cast at an election held at Neosho precinct," &c.

OCTOBER 9, 1855.

MORGAN DICKS,
THOMAS BOWEN,
HIRAM HOOVER,

Judges.

Attest: ENOS STRAWN,
WILLIAM H. VEELE, *Clerks.*

FIFTH DISTRICT.—*Big Sugar Creek Precinct.*

Poll-book.—List of voters who have cast their ballots for delegates to a convention to form a constitution for Kansas, held the second Tuesday, the ninth day of October, A. D. 1855, at the house of Silas Young, in Big Sugar Creek precinct, Kansas Territory.

1 William Dudley	4 Samuel Farra
2 William Daniel	5 James A. Watkins
3 Reuben Daniel	6 John Lance

7 Waller Cash	16 John Jones
8 James M. Arthur	17 D. P. Brown
9 Allen Stewart	18 Silas Young
10 A. J. Long	19 A. P. McLeland
11 William Cash	20 T. C. Cregger
12 William Dyer	21 Z. W. Lasure
13 James W. Dudley	22 F. H. Graham
14 Samuel J. Sprague	23 James Dudley
15 Jonah Daniel	24 John Wikel.

Tally-list of delegates' names for constitutional convention.

William Turner received	24 votes.
James M. Arthur	24 "
M. T. Morris	23 "
Orville C. Brown	24 "
Frederick Brown	24 "
Richard Knight	24 "
Hamilton Smith	23 "
Hiram Hoover	17 "

We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that the whole number of legal votes cast at an election held at Big Sugar Creek precinct, in Kansas Territory, on the second Tuesday of October, 1855, it being the ninth day of said month, between the hours of 10 o'clock, a. m., and 4 o'clock, p. m.; of said day, for the election of eight delegates to a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government, preparatory to the admission of Kansas as a State, to be twenty-four.

We, the judges and clerks, further certify upon our oaths, that the said voters were white male inhabitants, citizens of the United States, above the age of twenty-one years, *bona fide* residents of said Territory of Kansas, having actually resided therein for the period of thirty days immediately preceding said election day.

OCTOBER 9, 1855.

JONAH DANIEL,
SILAS YOUNG,
D. P. BROWN,

Attest: J. W. DUDLEY,
WILLIAM DYER, *Clerks.*

Judges.

FIFTH DISTRICT.—Pottowatomie Precinct.

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

W. T. Turner	49
J. W. Arthur	49
O. C. Brown	49

Hamilton Smith.....	48
Richard Knight.....	49
Frederick Brown.....	47
W. T. Morris.....	49

The certificate is in the usual printed form, "that William T. Turner has received forty-nine votes, J. W. Arthur has received forty-nine votes, O. C. Brown has received forty-nine votes, Hamilton Smith has received forty-eight votes, Richard Knight has received forty-nine votes, Frederick Brown has received forty-seven votes, W. T. Morris has received forty-nine votes, cast at an election held at Pottowatomie meeting-house," &c., &c.

Signed and dated October 9, 1855.

JOHN T. GRANT,
CYRUS TAYLOR,
DAVID BALDWIN,
Judges.

Attest: WM. N. WOODS,
JOHN G. MOORE, *Clerks.*

FIFTH DISTRICT.—*Little Sugar Creek Precinct.*

Poll-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

Julius Wilhoit
Temple Wayne
Robert Throckmorton
M. A. Morris
John G. Pierce
Leander Fouts
Coppe Phillip
A. F. Sellers
Sam'l Neckel
Isaac Jackson
H. Goodpasture
J. B. Pyler
John Eerstep
William Many
Levi Ward
William B. Perry

Solomon Copple
Hiram Daniels
Enoch Osborn
A. G. Copple
John Fouts
H. M. Gibbs
R. W. Bradley
W. T. Turner
Michael Kanavare
David Reese
S. B. Floyd
D. F. Park
D. W. Cannan
F. A. Hamilton
William Nickel.

[No certificate.]

The certificate is in the usual printed form, "That William Turner has received thirty-two votes, James M. Arthur has received thirty-two votes, M. J. Morris has received thirty-two votes, Orville

C. Brown has received thirty-two votes, Frederick Brown has received thirty-two votes, Richard Knight has received thirty-two votes, Hamilton Smith has received thirty-two votes, cast at an election held at Little Sugar Creek precinct, &c.

Signed and dated October 9, 1855.

D. REESE,
S. B. FLOYD,
ENOCH OSBORN,
Judges.

Attest: D. F. PARK,
DAVID W. CANNAN, *Clerks.*

FIFTH DISTRICT—*Stanton Precinct.*

Tally-list for delegates to form a State constitution.

William T. Turner	35 votes.
James A. Arthur	35 "
M. J. Morris	35 "
Orville C. Brown	35 "
Fred. Brown	35 "
Richard Knight	35 "
Hamilton Smith	35 "
Isaac Woollard	29 "
William G. Nichols	7 "

FIFTH DISTRICT—*Alderman's house.*

Judges' return.

We, the undersigned judges of an election held on the ninth of October, A. D. 1855, at the Alderman house, in the fifth election district, for the election of a delegate to 34th Congress of the United States, and for delegates to the constitutional convention, do hereby certify upon our oaths as judges of said election, that the following is a true and correct return of the votes polled at such election, by lawful resident voters.

For delegate to Congress, Andrew H. Reeder has received thirteen votes.

For delegates for the constitutional convention, Hiram Hoover has received thirteen votes, Mahlon T. Morris nine votes, James M. Arthur nine votes, William R. Turner eight votes.

MORGAN DICKS,
THOMAS BOWEN,
HIRAM HOOVER,
Judges of election.

Attest: ENOS STRAWN,
WM. K. VAILL, *Clerks.*

SIXTH DISTRICT.—*House of Richard J. Farqua.*

Tally-list of votes for Congress, and for the convention to form a State constitution, October 9, 1855.

Delegate to Congress, A. H. Reeder 12 votes.

For delegates to constitutional convention :

W. R. Griffith	12 votes.
John Hamilton	12 “
A. W. J. Brown	12 “
William Saunders	12 “

“ We, the undersigned judges and clerks of election, hereby certify upon our oaths, that Andrew H. Reeder has received twelve votes for delegate to Congress; and that William R. Griffith, John Hamilton, A. W. Brown, and William Saunders each received twelve votes, cast at an election held at the house of Richard J. Farqua,” &c., as in the printed form.

OCTOBER 9, 1855.

R. J. FARQUA,
WM. C. KEETH,
H. W. HUMPHREY,
Judges.

Attest: GEO. W. GOODRICH,
JACOB SHERLOCK, *Clerks.*

SIXTH DISTRICT—*Scott Town Precinct.*

List of voters for delegates to convention, October 9, 1855.

1 Marion Medlen	15 William Later
2 Gaston Reeves	16 Hiram Cable
3 Gilford Noris	17 Augustus Todd
4 James Johnson	18 Thomas Owen
5 Hiram Hayward	19 John Kyzer
6 John Moberly	20 D. D. Brown
7 David Ward	21 Edmond Henly
8 Henry Bennett	22 G. W. Jackson
9 A. W. J. Brown	23 Anderson Raye
10 Thomas Burgess	24 Davis Parsons
11 David Dotson	25 James Hertson
12 Isam Prewett	26 Hiram Ward
13 Giles Later	27 A. Jones
14 William Darden	

Tally-list.

Delegates to convention :

A. H. Brown	26 votes.
T. H. Burgess	24 “
John Hamilton	27 “
W. J. Griffith	27 “

SIXTH DISTRICT.—*Columbia Precinct.**Tally-list.*

A. H. Reeder	20 votes.
James H. Phenis.....	20 “

“ We, the undersigned judges and clerks of election, hereby certify upon our oaths, that James H. Phenis has received twenty votes, cast at an election held at Columbia,” &c., as in the printed form.

OCTOBER 9, 1855.

PHILIP COOK,
JAS. H. PHENIS,
THOMAS J. ADDES,
Judges.

Attest: JESSE J. WHITSON,
PETER A. PHENIS, *Clerks.*

Judge's certificate.

LAWRENCE, *September 22, 1855.*

SIR: Having entire confidence in your integrity, patriotism, and ability, you have been selected, and are hereby appointed as one of the judges of the election to be holden in your precinct, in the Territory of Kansas, at Columbia, on the second Tuesday (October ninth,) for members of a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government, preparatory to the admission of Kansas into the Union as a State.

Per order of executive committee of Kansas Territory.

J. H. LANE, *Chairman.*

J. K. GOODIN, *Secretary.*

[Endorsed “Philip Cook,” and similar certificates addressed to the other judges. Printed form.]

SEVENTH DISTRICT.—*Council City Precinct.*

Poll-list of voters for delegates to convention to form a constitution, October 9, 1855.

A. Smith
Lewis D. Joy
William Lord
John Drew
Philip C. Schuyler
George Bralton
David Condite
Abel Polley

Alexander Melison
George Bonser
W. H. Toothman
J. B. Titus
Samuel Scott
Charles Fish
Lucien Fish
Nicholas Schuyler

Frederick C. Upson
 L. T. Miller
 William Drew
 William Graham
 Hiram Graham
 Marcus C. Rose
 Thiel Strite
 Harvey R. Hall
 Stephen D. Smith
 John Smith
 M. H. Rose
 W. N. Havens
 Henry Morell
 Harvey Eperson
 G. J. Morell
 John Lowry
 Joseph Brown
 Jackson Mullers
 David Stanley
 John Crawford
 Thomas Armden
 Samuel B. Harvey
 George M. Harvey

Hiram Mills
 Jacob Beyer
 Alexander Hoover
 Adam Bothel
 Samuel A. Allison
 William Tillinghast
 George M. Barnes
 J. W. Kerr
 James T. Miller
 Joseph McDonald
 James R. Stewart
 David Hoover
 E. M. Perine
 A. Leonard
 H. Black
 Robert Smith
 John Cozier
 Oliver Philips
 Henry Zodel
 A. L. Watkins
 James Bothel
 Victor McDonald
 James King.

"We, the undersigned judges and clerks of election, hereby certify, upon our oaths, that the following persons, Josiah H. Pillsbury and Philip C. Schuyler have received the highest number of votes for delegates to Territorial convention, cast at an election held at Council City, in the seventh district," &c., &c., as in the printed form.

OCTOBER 9, 1855.

JOHN DREW,
 WM. LORD,
Judges.

Attest: ABEL POLLEY.

Judge's Return.

We, the undersigned, judges of an election held on the 9th of October, A. D. 1855, at the house of J. B. Titus, in the precincts of the seventh election district, for the election of a delegate to the 34th Congress of the United States, do hereby certify upon our oaths, as judges of said election, that the following is a true and correct return of the votes polled at such election, by lawful resident voters, to wit: There was cast for Andrew H. Reeder at said election, for Congressman, sixty-two votes; and for Territorial convention, there was cast sixty votes for Josiah H. Pillsbury delegate to the same; and sixty votes cast for Philip C. Schuyler for delegate to said convention. Two persons not voting for delegates to Territorial convention that voted for Congressman.

Done at Council City, within the precincts of the 7th district, this 9th day of October, one thousand eight hundred and fifty-five.

JOHN DREW,
WM. LORD.

EIGHTH DISTRICT.—*Waubaussee Precinct.*

Poll-book.—List of voters who cast their ballots for delegates to a convention to form a constitution for Kansas, held this second Tuesday, the ninth day of October, A. D. 1855.

Harry Jones
Henry S. Gilbert
Henry Bisbey
Peter Sharai
Charles P. Farnsworth
John C. Massman
Daniel L. Bates
Calvin H. Sawin
Francis A. Abbott
William B. Marshall
Jonathan M. Burley
F. W. Ross
James M. Bisbey
E. E. Persons

Allen B. Lee
Cyrus Bishop
D. E. Adams
G. W. Lee
V. R. Morse
Bartholomew Sharai
Lafayette W. Brown
E. R. McCurdy
D. B. Hiatt
Jno. H. Nesbitt
Horace W. Taylor
George H. Hill
Harrison F. Brown.

The certificate as to the number and qualification of the voters is in the usual form, signed as follows:

WAUBAUNSEE, October 9, 1855.

E. R. McCURDY,
J. M. BISBEY,
DANIEL B. HIATT,
Judges.

Attest: HORACE W. TAYLOR,
JOHN H. NESBITT, *Clerks.*

Tally-list of legal votes for delegates to the constitutional convention.

J. H. Pillsbury..... 27 votes.
P. C. Schuyler..... 27 "

E. R. McCURDY,
J. M. BISBEY,
DANIEL B. HIATT,
Judges.

Attest: JOHN H. NESBITT,
HORACE W. TAYLOR, *Clerks.*

EIGHTH DISTRICT.—*Waubaussee Precinct, (to fill a vacancy.)*

Poll-book.—List of the names of legal voters who cast their votes for delegate to convention, October 30, 1855.

H. T. Brown
Geo. H. Hill
D. L. Bates
P. Sharai
Henry Bisby

V. R. Morse
Hiram Tadder
J. M. Bisby
Lafayette Brown
J. H. Nesbitt.

HENRY BISBY,
V. R. MORSE,
J. M. BISBY,

Attest: D. L. BATES, *Clerk.*

Judges.

Tally-list for delegate to convention.

J. H. Nesbitt..... 10 votes.

We, the undersigned, judges of the election held at the house of Peter Sharai, Waubaussee, in the eighth election district, to elect a delegate to the constitutional convention, in place of J. H. Pillsbury, resigned, declare the whole number of votes cast for J. H. Nesbitt to be ten.

H. BISBY,
V. R. MORSE,
J. M. BISBY,

Attest: D. L. BATES, *Clerk.*

Judges.

NINTH DISTRICT.—*Pawnee Precinct.*

List of voters who have cast their votes for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, 1855.

1 Robert Klotz
2 Henry Green
3 S. B. White
4 Adolph Kurtze
5 R. Whitehare
6 F. Vember
7 George Blesch
8 J. H. Green
9 R. Leavitt Lincoln
10 Reuben Kleintop
11 Isaac H. Loder
12 Alexander Shaw
13 Diversica Fursom
14 Charles Albright

15 John M. Moses
16 H. W. Martin
17 Mathew Mudcator
18 John Jarahass
19 George Peacock
20 John Pipe
21 Isaac Bigtree
22 S. P. Higgins
23 Silas Klotz
24 John C. Bertolett
25 Charles Weidkrecht
26 Joseph Barry
27 John Hibler
28 Benjamin Kleintop

29 Patrick Chandit	53 Lemuel Knapp
30 George Taylor	54 Samuel Allen
31 J. M. Myers	55 S. W. Johnson
32 Thomas Bickerton	56 R. H. Higgins
33 William H. Moore	57 John Holbrook
34 Milton Buher	58 T. H. Mills
35 George F. Brown	59 Thomas Blacklin
36 J. C. Conter	60 James Holse
37 Samuel Hill	61 J. B. Dickerson
38 Emery P. Lockhart	62 Benj. Coppenhaven
39 James S. Rhodes	63 W. H. Mackey
40 Johnson McIntire	64 C. More
41 G. F. Gordon	65 C. G. Nolan
42 William M. McClure	66 Franz Hogg
43 James B. Alexander	67 James Chrrers
44 Jacob Swartwood	68 Adam Kelber
45 J. W. Stewart	69 John Schumaker
46 Jeremiah Younkin	70 R. H. Hammond
47 G. M. Fountain	71 W. C. Gibbons
48 Joseph McClure	72 Abraham Barry
49 Jacob Dutcher	73 William Grace
50 Charles A. Berry	74 David German
51 G. W. Marston	75 A. B. Marchol
52 J. O. Sawyer	76 George Darling.

[The certificate appended to the poll-list fails to state the number of voters, and is therefore of no value, except as to the qualification of voters. The words quoted in the other certificate, as to the five Wyandot Indians, are repeated in this.]

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

Robert Klotz.....	53
A. Hunting.....	54

"We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that Robert Klotz has received fifty-three votes, and A. Hunting fifty-four votes, cast at an election held at Pawnee," &c., as in the printed form. They add to the printed certificate that the voters were white male inhabitants "(except five, who are members of the Wyandot tribe of Indians)."

PAWNEE, October 9, 1855.

S. P. HIGGINS,
WM. M. MCCLURE,
LEONARD KNAPP,
Judges.

Attest: J. B. DICKERSON,
J. M. MYERS, *Clerks.*

TENTH DISTRICT.—*Big Blue Precinct.*

Poll-book.—List of voters who cast their ballots for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

1 Harry Whiteside	41 C. W. Beebee
2 Henry B. Nealy	42 Ambrose Todd
3 S. Whitehorne	43 Joseph Hays
4 S. P. Lincoln	44 J. P. Goodnow
5 M. L. Wisner	45 J. W. Dyer
6 J. E. Wood	46 B. M. Whilden
7 S. B. McKenzie	47 Geo. W. Eubank
8 H. B. Leonard	48 William Carroll
9 C. H. Lovejoy	49 Samuel Hays
10 A. Hunting	50 Seth J. Childs
11 Rezin Arnold	51 Tenman Shaddock
12 William S. Arnold	52 Stephen B. Barns
13 Christian Goty	53 Joseph Denison
14 Samuel Hensley	54 John Morris
15 J. Stewart	55 Thomas W. Platt
16 Henry Condray	56 Lorenzo Westover
17 Minchey Condray	57 Newell Trafton
18 E. E. Blood	58 E. Hunting
19 William C. Dyer	59 J. D. Heald
20 William Jacobs	60 J. B. Smith
21 E. M. Thurston	61 Asaph Browning
22 Peter Neyhart	62 Thomas Randolph
23 William Hanna	63 John Randolph
24 David Hays	64 J. F. Hofficker
25 Samuel Carnahan	65 John McCorusey
26 Thomas C. Wells	66 W. W. Davis
27 John Gill	67 Willard Whitney
28 C. N. Wilson	68 William McCorusey
29 S. D. Houston	69 John Flagg
30 M. E. Gennis	70 Cornelius N. Low
31 J. P. Hare	71 John Hoar
32 T. R. Hare	72 John Hudson
33 James Hare	73 John Mails
34 James Johnson	74 John Sonpene
35 Thomas Raftree	75 Augustus Wattles
36 Henry Green	76 David Ward
37 Asahel G. Allen	77 Jacob Thier
38 Simon Perry	78 Christopher Thomas
39 Ephraim Adkins	79 Moody B. Powers
40 Henry Bishop	80 A. H. Powers.

[The certificate to the poll-list fails to state the number of voters, but is good as to their qualifications—the printed form being used.]
Signed, Juniata, October 9, 1855.

Attest: C. N. WILSON,
THOMAS C. WELLS, *Clerks.*

J. STEWART,
PETER NEYHART,
WILLIAM HANNA,
Judges.

TENTH DISTRICT.—*Big Blue Precinct.*

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

Dr. A. Hunting.....	64 votes.
Robert Klotz	73 "

"We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that Dr. A. Hunting has received sixty-four votes, and Robert Klotz has received seventy-three votes, cast at an election held at the tenth precinct," &c., as in the printed form; to which is added, "except voters who have been here eighteen days."

JUNIATA, October 9, 1855.

J. STEWART,
WM. HANNA,
PETER NEYHART,
Judges.

Attest: C. N. WILSON,
THOMAS C. WELLS, *Clerks.*

TENTH DISTRICT.—*Rock Creek Precinct.*

Poll-book.—List of voters who cast their ballots for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

John Adams
Moses Jenkins
William Seymour
William H. Wilson
John Midey
Michael Flush
Mathias Flush
William Jenkins
John Myers
Theophilus Dickets
Julius Berger
Michael Rapp
Francis Burgrow
John King
A. Dickets

R. Wilson
Henry Rodex
Zacharias Kabor
William Seymour
Henry Hoffman
James Long
John J. Davis
Charles Jenkins
James Darnell
T. F. Jenkins
F. H. Jenkins
Henry Rammelt
Andrew Nolle
J. H. Haide
Andrew Laffler.

(The certificate to the poll-list fails to state the number of voters, but is good as to their qualifications, the printed form being used.)

ROCK CREEK, October 9, 1855.

JAMES DARNELL,
CHARLES JENKINS,
HENRY RAMMELT,
Judges.

Attest: J. E. DAVIS,
WM. S. SEYMOUR, *Clerks.*
H. Rep. 200—44*

Judges and clerks' certificate.

"We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that Dr. A. Hunting and Robert Klotz have received thirty (30) votes, cast at an election held at Rock Creek precinct," &c., &c., as in the printed form.

ROCK CREEK, October 9, 1855.

JAMES DARNELL,
CHARLES JENKINS,
HENRY RAMMELT,

Judges.

Attest: J. E. DAVIS,
WM. S. SEYMOUR, *Clerks.*

ELEVENTH DISTRICT.—*Black Vermillion Precinct.*

List of voters who have cast their ballots for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

James A. Smith	Lonse Bellow
John Herron	Henrick Hollenberg
William Harmon	Zachariah Duman
Frederick Brockmeyer	William Sanders
Leven Jessen	S. W. Furbay
William Thule	A. M. Bell
Henry Brockmeyer	Kees Furbay.

Following the list are these words: "14 total number of votes cast for delegates." "At house of Henry Hollenburg."

[The certificate omits to state the number of voters, but it is good as to their qualifications; the printed form being used.]

OCTOBER 9, 1855.

H. HOLLENBURG,
F. DUMAN,
WM. SAUNDERS,

Judges.

Attest: S. W. FURBAY,
A. M. BELL, *Clerks.*

TWELFTH DISTRICT.—*Silver Lake Precinct.*

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Saturday, the 13th of October, A. D. 1855.

Martin F. Conway	12 votes.
Joseph M. Coles	18 "
John G. Thompson	21 "

Following the tally-list, the vote for each candidate is correctly stated; but the blank in the printed certificate is not filled. It is, however, signed by the judges and clerks, and is good as to the qualification of voters.

OCTOBER 13, 1855.

JOHN G. THOMPSON,
JOHN W. HOPKINS,
E. R. BERNARDY,
Judges.

Attest: J. G. THOMPSON,
JOHN W. HOPKINS, *Clerks.*

TWELFTH DISTRICT.—*St. Mary's Precinct.*

List of voters who have cast their ballots for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the 9th day of October, A. D. 1855.

1 A. Higbee	11 Stephen Hopkins
2 D. S. Garrison	12 P. B. Dean
3 Charles Dean	13 J. P. Wilson
4 Philip Werner	14 B. C. Dean
5 John Leonard	15 Parmer McCartney
6 B. O. Menger	16 C. Milet
7 J. B. Dackern	17 A. Peltier
8 S. L. Horn	18 J. L. Wilson
9 F. Shaffer	19 Augustus Becker.
10 H. Oslerhouse	

Certificate in the usual printed form, signed St. Mary's precinct, October 9, 1855.

J. P. WILSON,
BENJ. C. DEAN,
OSCAR B. DEAN,
Judges.

Attest: J. P. WILSON,
OSCAR B. DEAN, *Clerks.*

Tally-list of votes cast for delegates to a convention to form a State constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

For Martin F. Conway..... 20 votes.

Printed certificate properly filled, and signed October 9, 1855.

J. P. WILSON,
OSCAR B. DEAN,
BENJ. C. DEAN,
Judges.

Attest: J. P. WILSON,
O. B. DEAN, *Clerks.*

THIRTEENTH DISTRICT.—*Falls Precinct.*

List of voters for delegates to a convention to form a constitution, held at Falls precinct, thirteenth district, October 9, 1855.

1 John Weaver	23 Ephraim Cowman
2 William Millikan	24 Jacob Webber
3 Peter Taylor	25 Henry Webber
4 Henry Morris	26 Henry Conn
5 Chalmers Scott	27 William Cowen
6 John W. Clark	28 Daniel Willey
7 Michael Hasler	29 Martin Vanderborg
8 John Roberts	30 Benjamin Wise
9 Theophilus Jolly	31 John Roderick
10 George S. Hillyer	32 Nathaniel Hart
11 Richard Hull	33 Fayette P. Hart
12 Thomas Moiney	34 Jesse B. Taylor
13 Francis J. Crowberger	35 Marshall N. Hart
14 Henly Mendenhall	36 Sidney Scanlin
15 George T. Donaldson	37 John Hughan
16 John Conway	38 John McDowell
17 Samuel Johnson	39 Alexander Hughan
18 Payton Roderick	40 Stephen H. Dunn
19 John Ernst	41 John B. Ross
20 William Catt	42 Jacob Fisher
21 William Grigsbee	43 William Boles.
22 J. K. Williams	

No certificate.

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the 9th day of October, 1855, at Falls precinct, thirteenth district.

George S. Hillyer.....	43 votes.
William Grigsbee.....	41 "

"We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that George S. Hillyer has received forty-three votes, and William Grigsbee forty-one votes, cast at an election held at Falls precinct," &c., in the usual printed form.

OCTOBER 9, 1855.

S. H. DUNN,
J. B. ROSS,
J. W. CLARK,
Judges.

Attest: CHALMERS SCOTT,
PETER TAYLOR, *Clerks.*

THIRTEENTH DISTRICT.—*Pleasant Hill Precinct.*

List of voters who have cast their ballots for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the 9th day of October, 1855.

1 William Hicks	23 Sidney Stewart
2 Andrew Francis	24 Aaron Cook
3 Lewis Hoover	25 G. B. Hall
4 Robert Ward	26 Stephen Ogan
5 Nathan Adams	27 James Dempsey
6 John A. Pepers	28 Daniel Damert
7 Lewis Remiatte	29 John Buzbee
8 Philip Kepler	30 Leonard Buzbee
9 James E. Stevenson	31 Abram Smith
10 Hugh McGehee	32 Alexander McDonald
11 John Nichols	33 Aaron Smith
12 Nathan Griffiths	34 Alexander McDonald, jr.
13 William C. Walker	35 James G. Points
14 James Griffiths	36 Henry Owens
15 Jacob A. Brown	37 William Butler
16 Rufus W. Rice	38 Thomas Mount
17 Joseph Dunn	39 Ashberry Kepler
18 John H. Brown	40 William B. Ward
19 Nathan Cory	41 William Duck
20 Byron Stewart	42 Thomas McGehee
21 Richard S. Bunker	43 James C. Ward
22 Ephraim Bainter	

Poll-list properly certified and signed as follows:

PLEASANT HILL, *October 9, 1855.*

ROBERT WARD,
NATHAN ADAMS,
WILLIAM HICKS,
Judges.

Attest: ANDREW J. FRANCIS,
LEWIS HOOVER, *Clerks.*

Tally-list of votes cast for delegates to a convention to form a constitution, held on this second Tuesday, the 9th day of October, A. D. 1855.

William Hicks 43 votes.
J. Whitney 43 "

Printed certificate properly filled and signed as follows:

PLEASANT HILL, *October 9, 1855.*

ROBERT WARD,
NATHAN ADAMS,
WILLIAM HICKS,
Judges.

Attest: ANDREW J. FRANCIS,
LEWIS HOOVER, *Clerks.*

FOURTEENTH DISTRICT.—Doniphan Precinct.

Poll-book of voters who have cast their ballots for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

1 Samuel Collins	22 B. G. Cody
2 William Peogges	23 Alexander Ringord
3 Norman Alexander	24 Lawrence Gunderson
4 D. M. Field	25 Kinder Nelson
5 Luther Dickerson	26 Josten A. Josten
6 Lyman Oaks, jr.	27 Robert Rockey
7 Lyman Oaks, sr.	28 Monroe Ledington
8 William P. Irwin	29 William Ledington
9 Robert Mealer	30 Barnard Bradley
10 John Snider	31 William Colcott
11 Benjamin McCan	32 Lonson Mealer
12 Thomas Collins	33 Richard Tuck
13 B. R. Wilmott	34 Gunder Tronson
14 G. A. Cutler	35 John Steiz
15 Thomas Cook	36 J. H. Whittaker
16 John McNamee	37 T. D. Hoffman
17 Peter Olison	38 John Landis
18 O. G. Lock	39 J. H. Gilbert
19 N. Tomson	40 Wm. H. Wills
20 Oly Homson	41 Thomas Lawton
21 John Bell	42 William Smith.

The certificate as to the number and qualification of the voters is in the usual form, signed as follows:

DONIPHAN, October 9, 1855.

JOHN H. WHITTAKER,
T. B. HOFFMAN,
J. LANDIS,

Judges.

Attest: P. LOUGHLIN,
THOMAS COLLINS, *Clerks.*

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

George A. Cutler.....	42
John Landis.....	42
D. M. Field.....	42
C. M. Stewart.....	42

"We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that John Landis, George A. Cutler, D. M. Field,

and C. M. Stewart, have received forty-two votes, at an election held at Doniphan precinct," &c., as in the printed form.

DONIPHAN, October 9, 1855.

JOHN H. WHITTAKER,
T. D. HOFFMAN,
J. LANDIS, Judges.

Attest: T. COLLINS,
P. LOUGHLIN, Clerks.

FOURTEENTH DISTRICT.—*Palermo Precinct.*

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

G. A. Cutler.....	40
John Landis.....	40
D. M. Field.....	40
C. M. Stewart.....	39

"We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that G. A. Cutler, John Landis, and D. M. Field have received forty votes, and C. M. Stewart has received thirty-nine votes, cast at an election held at Palermo precinct," &c., &c., as in the printed form.

PALERMO, October 9, 1855.

NATHAN D. WHITE,
WILLIAM CHAPMAN,
Judges.

Attest: WM. BRITTAIN,
OLIVER R. HOWE, Clerks.

FOURTEENTH DISTRICT.—*Burr Oak Precinct.*

Poll-book of voters who cast their ballots for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, 1855.

1 Alfred Langden	11 Jacob Zander (sworn)
2 Wm. M. E. F. Greer	12 Jacob O. Rooke (sworn)
3 W. H. High	13 John T. Brady
4 William Keaton	14 Benjamin Harding
5 Robert McSpanner	15 Samuel S. Shelton
6 William Jourdan	16 William Newman
7 Samuel Piles	17 John Yeatman
8 John Rhodes	18 Caspian Lanmer
9 F. Leher (sworn)	19 Richard Hunley
10 A. Grooms	20 James M. Grooms

21 Charles Eggers	28 E. S. Davis
22 John Stantorf	29 Thomas C. Stewart
23 James Kendall	30 A. A. Jamison
24 Nelson Abby	31 Mathew Isles
25 A. Zezean	32 Henderson Smallwood
26 Abs. Grooms	33 E. P. Weaver.
27 G. H. Bryan	

[No certificate to the poll-list.]

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

G. A. Cutler.....	33
John Landis.....	33
C. M. Stewart.....	33
D. M. Field.....	33

"We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that G. A. Cutler has received thirty-three votes, John Landis has received thirty-three votes, C. M. Stewart has received thirty-three votes, D. M. Field has received thirty-three votes, cast at an election held at B. Harding's, in Burr Oak precinct," &c., as in the printed form.

BURR OAK, October 9, 1855.

HENDERSON SMALLWOOD,
MATHEW ISLES,
A. A. JAMISON, *Judges.*

Attest: HENDERSON SMALLWOOD,
A. A. JAMISON, *Clerks.*

FIFTEENTH DISTRICT.—(*Walnut Creek**) *Precinct.*

Poll-list of voters who balloted for delegates to a convention to form a constitution for Kansas, October 9, 1855, at ——— precinct, 15th district.

1 H. B. Gale	8 John R. Shift
2 B. Y. Edwards	9 Charles J. Foster
3 James Le Sale	10 Henry C. Sutton
4 Jackson B. Crow	11 John Howse
5 Lewis Shift	12 Henry Owens
6 William Morganson	13 S. J. Elliott
7 John A. Beeher	14 James Holloway

* The words "Walnut creek" erased.

15 Robert T. Parks	23 M. Seely
16 Martin Kleim	24 Stanford McDaniel
17 John Strum	25 Harrison D. Patterson
18 James H. Vants	26 Philip Baker
19 Thomas Newman	27 E. R. Zimmerman
20 David Halls	28 John Miller
21 Charles P. Allgea	29 John C. Ridgeway
22 Thomas J. Aliff	30 Joseph F. Musser.

[No certificate to the poll-list.]

No tally-list, but the following certificate:

"We, the undersigned judges and clerks of election, hereby certify, upon our oaths, that Stanford McDaniel has received 30 votes, James S. Sayle 30 votes, H. B. Gale 28 votes, and Charles S. Foster 2 votes, being the full number cast at an election held at the fifteenth election precinct," &c., as in the printed form, except that the voters are said to be *bona-fide* residents "*at the time of election,*" and not for thirty days.

OCTOBER 9, 1855.

CHARLES S. FOSTER,
STANFORD McDANIEL,
JACKSON B. CRANE,

Attest: MERIMAN SEELY, *Judges.*
BENJAMIN F. EDWARDS, *Clerks.*

The returns are accompanied by the "judges' certificate" of appointment, with their oaths endorsed on the back. (See forms.)

FIFTEENTH DISTRICT.—*Crosby's Store Precinct.*

Poll-list of voters who balloted for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

1 Daniel F. Graham	16 J. W. Elliott
2 Beverly W. Dureese	17 James Dougherty
3 E. Landrum	18 E. Peck
4 Luther Knox	19 W. H. Stewart
5 E. Jones	20 Stephen McAvet
6 Caleb May	21 T. B. Elliott
7 William Crosby	22 Lewis Minch
8 R. H. Crosby	23 Sam'l Rider
9 G. W. Johnston	24 Daniel Campbell
10 Joseph Trocax	25 Miles T. Perry
11 G. W. Cobb	26 John Graves
12 John Abbott	27 William Landrum
13 John Hart	28 H. J. Rust
14 Thomas Duncan	29 Hiram Perry.
15 A. Elliott	

"We hereby certify that the number of votes cast at this election amounts to twenty-nine for Cobb, May, and R. H. Crosby."

CALEB MAY,
E. LANDRUM,
WM. CROSBY,
Judges.

Attest: MILES CARLTON,
R. H. CROSBY, *Clerks.*

There is no tally-list, but the officers certify as follows:

"We, the undersigned, judges and clerks of election, hereby certify, upon our oaths, that Caleb May and R. H. Crosby each have received twenty-nine votes, cast at an election held at the store of Crosby & Co., Oceana precinct, and 15th election district," &c., as in the printed form.

OCTOBER 9, 1855.

CALEB MAY,
E. LANDRUM,
WM. CROSBY,
Judges.

Attest: MILES CARLTON,
R. H. CROSBY, *Clerks.*

This return is accompanied by the commissions or authority of judges of elections, signed by J. H. Lane; and by the oaths of the judges. (See the form.)

SIXTEENTH DISTRICT.—*Leavenworth Precinct.*

Poll-list of Leavenworth.

1 William Brown	20 A. Fisher
2 Thomas Shankland	21 Charles E. Pearson
3 William Phillips	22 J. W. Skinner
4 J. K. Edsell	23 H. R. Hook
5 G. N. Propper	24 C. F. Warren
6 Thomas S. Slocum	25 G. J. Park
7 Ely Wilson	26 J. L. Rounds
8 A. W. Walker	27 M. E. Clark
9 C. Wilson	28 R. Morrison
10 J. A. Wilson	29 Jesse Kirkham
11 James C. Wilson	30 James Lillie
12 S. N. Latta	31 J. Conroy
13 P. Lane	32 John Kelley
14 Charles Putnam	33 W. S. Coleman
15 Jerad Phillips	34 B. S. Hughes
16 D. C. Ames	35 J. Ream
17 A. S. Downey	36 Alex. Chas. Kasky
18 William G. Marvin	37 John Valkavitz
19 W. Anthony	38 W. G. Simpson

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| 39 S. Mollyausky | 90 D. Sullivan |
| 40 E. Furguson | 91 A. Foster |
| 41 D. Brown | 92 B. Jennings |
| 42 J. Brace | 93 P. Garvy |
| 43 D. W. Lane | 94 James Meade |
| 44 N. Myers Sayre | 95 Charles Robinson |
| 45 A. Kisten | 96 S. Breeden |
| 46 John Allen | 97 H. Grovener |
| 47 John Warren | 98 S. Burns |
| 48 E. F. Powell | 99 H. S. Wilson |
| 49 E. Ross | 100 T. H. Doyle |
| 50 H. C. Gardner | 101 A. Lerell |
| 51 T. Pernerill | 102 J. Hall |
| 52 James Kastien | 103 John H. McClelland |
| 53 P. Malon | 104 D. M. F. Talliford |
| 54 Thomas Shawn | 105 H. C. Sremp |
| 55 A. Hoelean | 106 B. C. Harris |
| 56 M. Galeher | 107 M. W. Delahay |
| 57 James Polka | 108 Henry Fisher |
| 58 G. W. McLane | 109 George Russell |
| 59 John Kogchinck | 110 A. Bechin |
| 60 William Long | 111 John Hess |
| 61 John Zimmerman | 112 F. Gardner |
| 62 Charles Milten | 113 John Gorman |
| 63 Charles Knownan | 114 D. Dodge |
| 64 J. Near | 115 J. F. Bowman |
| 65 Thomas Welsh | 116 Thomas Sayles |
| 66 M. Rowe | 117 S. E. Bird |
| 67 Charles Lockamy | 118 Edward Killen |
| 68 J. W. Baker | 119 Henry Bentz |
| 69 C. Harris | 120 William Fracker |
| 70 John Link | 121 Henry Hare |
| 71 A. Heynbrook | 122 William O. Candan |
| 72 Alexander Reed | 123 Thomas Crawford |
| 73 William Browley | 124 C. Beane |
| 74 W. Howl | 125 J. Howell |
| 75 A. Near | 126 John Perry |
| 76 E. O'Reily | 127 W. L. Ship |
| 77 Peter Smith | 128 George Witherell |
| 78 A. Lipstone | 129 John Stanley |
| 79 H. Tucker | 130 L. A. Goodrich |
| 80 R. Wisener | 131 G. W. Gardner |
| 81 S. Miller | 132 H. H. Johnson |
| 82 R. P. Brown | 133 M. McCracken |
| 83 J. W. Liedez | 134 C. Salser |
| 84 William L. Bilsden | 135 James Madden |
| 85 John Gleeson | 136 W. McGraw |
| 86 William Bentley | 137 James Wallace |
| 87 John B. Ross | 138 G. G. Campbell |
| 88 R. G. Newlin | 139 William R. Rutter |
| 89 William H. Wells | 140 R. B. Roberts |

141 Robert Bright	192 John Farrish
142 J. B. Lackey	193 A. Stewart
143 John J. Fulton	194 H. C. Fields
144 John Roundy	195 B. S. Brown
145 William Newcomb	196 J. B. McAfee
146 J. B. Richouse	197 V. Lucas
147 Jacob Shobel	198 J. Heiss
148 D. C. Smith	199 William Corman
149 Peter Rexeker	200 C. Morrie
150 John Williams	201 B. Lambert
151 John Hoegner	202 F. Denlyten
152 L. Werx	203 W. Seven
153 John Kok	204 E. Fracken
154 D. S. Morton	205 J. Strabek
155 D. Comstock	206 Otto Beolar
156 Alexander Maltby	207 Fred. Beolar
157 C. Fiders	208 Charles H. Pearce
158 B. Bennett	209 S. Warrenburg
159 J. Decin	210 Alex. Mongondy
160 W. M. Jones	211 G. Genesebery
161 Henry Edwards	212 A. Hyen
162 Thomas Donelson	213 Uti Hobert
163 William Lanner	214 John Coben
164 William Conway	215 George M. Barr
165 John O'Niel	216 Henry Decker
166 A. R. Reddin	217 A. Neff
167 J. S. Spear	218 Thomas Turnbnll
168 E. Jessey	219 Terry Crutchfield
169 Paul R. Orr	220 John Rup
170 F. Nile	221 F. Webber
171 A. Mayner	222 C. W. Lucas
172 J. Bucler	223 George Leddle
173 W. G. Weiblin	224 E. Wentworth
174 John Thompson	225 E. Whitney
175 William Ashern	226 John Wright
176 J. H. Bird	227 F. Waymind
177 J. C. Green	228 John Kelly
178 Thomas Bishop	229 Thomas Morgan
179 George Copelt	230 William Morgan
180 H. J. Adams	231 John Stanton
181 John Owens	232 L. B. Snow
182 William H. Hefsley	233 W. Wakefield
183 William Wallace	234 J. Clark
184 F. Hickman	235 George H. Keller
185 W. Gehart	236 Charles Jones
186 A. J. Spalding	237 D. H. Cook
187 James Lewis	238 John A. King
188 G. P. Elliott	239 James Eldridge
189 G. Brooker	240 M. Whiteman
190 M. Shape	241 H. Bleddner
191 A. M. Sevier	242 Thomas Cass

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| 243 James Murphy | 294 Alexander Mann |
| 244 H. Brown | 295 James Knoff |
| 245 W. Engleman | 296 C. W. Scroop |
| 246 J. E. Gould | 297 J. M. Scroop |
| 247 B. Luce | 298 C. D. Hicks |
| 248 J. M. Christman | 299 William Kasey |
| 249 P. T. Luce | 300 Levy Slye |
| 250 George Brucker | 301 G. Shull |
| 251 William Woods | 302 E. P. Abbott |
| 252 Wood Leberton | 303 W. E. Parrott |
| 253 Ira P. Georgeus | 304 J. Cunningham |
| 254 A. S. Kyle | 305 J. F. Troy |
| 255 John Grime | 306 John Smith |
| 256 Peter May | 307 F. G. Hook |
| 257 C. Sleves | 308 B. Miller |
| 258 L. P. Pattie | 309 F. Butts |
| 259 T. Phiffen | 310 S. Metzger |
| 260 N. Creste | 311 George P. Rocroft |
| 261 H. Blyle | 312 James P. Curren |
| 262 F. Bentz | 313 M. Burke |
| 263 B. J. Bringan | 314 James Cade |
| 264 A. M. Latty | 315 John Freborn |
| 265 George French | 316 Thomas Hammond |
| 266 John Bronson | 317 William Catt |
| 267 P. Palmer | 318 John Bager |
| 268 J. Leghlfred | 319 C. Dengler |
| 269 W. Thornbergh | 320 Samuel Ankerfer |
| 270 Peter Meneir | 321 M. H. S. Miller |
| 271 William Berin | 322 James Ray |
| 272 John Agle | 323 H. Ward |
| 273 John Alutstein | 324 John McNaman |
| 274 John Sedler | 325 Charles H. Dodge |
| 275 William Abus | 326 P. Carney |
| 276 James Davis | 327 John Flett |
| 277 W. Shellen | 328 John Vincent |
| 278 J. S. Sauner | 329 A. Litton |
| 279 James Dugan | 330 S. E. Kelberg |
| 280 John H. Bird | 331 A. Snyder |
| 281 M. Mahony | 332 M. Harley |
| 282 S. H. Brady | 333 E. M. Mackemer |
| 283 A. D. Rock | 334 William Chambers |
| 284 F. L. Salter | 335 C. Austin |
| 285 E. Coffen | 336 John H. Slatten |
| 286 P. Warnett | 337 G. W. Hollies |
| 287 James E. Gant | 338 William Higgins |
| 288 Is. McCullugh | 339 L. Ruchny |
| 289 G. M. Burress | 340 James Huesting |
| 290 J. Halsey | 341 D. Colden |
| 291 H. Millerson | 342 William Cox |
| 292 L. J. Wallace | 343 J. Cranley |
| 293 James France | 344 G. Long |

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| 345 John Butts | 396 Fed. Buck |
| 346 John Russell | 397 T. Mewhinney |
| 347 George McKenna | 398 John Hoffman |
| 348 C. Sante | 399 Fr. Grenwell |
| 349 O. Phate | 400 Charles Gryer |
| 350 John A. Miller | 401 John Jacob |
| 351 J. S. Werden | 402 John Bohea |
| 352 D. Short | 403 William Veis |
| 353 Thomas Shumaker | 404 John F. Bomell |
| 354 P. Fredrick | 405 D. B. Dickson |
| 355 Geo. Myberth | 406 Mark Welch |
| 356 John Francis | 407 John Smith |
| 357 C. Bann | 408 (Jereslawn) |
| 358 John Williams | 409 A. B. Howe |
| 359 J. Smith | 410 I. Woman |
| 360 George Myer | 411 Adam Mill |
| 361 George Coakley | 412 William Pean |
| 362 C. Harrington | 413 John Heckett |
| 363 M. Eldridge | 414 Thomas Murphy |
| 364 James Waldock | 415 William Smith |
| 365 John Kennett | 416 Wm. J. Percifer |
| 366 P. M. Barber | 417 J. R. Clark |
| 367 Charles Smith | 418 A. S. Palleper |
| 368 H. Portman | 419 J. McCarty |
| 369 J. Minik | 420 John Killerhan |
| 370 Henry Keller | 421 L. M. Par |
| 371 J. McMinnie | 422 J. Beoler |
| 372 Jacob Sutton | 423 — Hecks |
| 373 T. Eckler | 424 T. Silkman |
| 374 D. O. Keffen | 425 Wm. Alexander |
| 375 F. Peck | 426 Col A. Gurney |
| 376 John Brown | 427 J. William |
| 377 James Martin | 428 John Griffiths |
| 378 H. Bleckner | 429 S. McEverds |
| 379 W. J. Card | 430 J. S. Gorham |
| 380 M. J. Parrott | 431 Geo. M. Whassey |
| 381 M. D. Short | 432 James Dare |
| 382 H. H. C. Harrison | 433 Samuel Bard |
| 383 John Sullivan | 434 Charles Myers |
| 384 George Henderson | 435 John Davis |
| 385 D. Murphy | 436 C. Peters |
| 386 John Brabacker | 437 D. Dulin |
| 387 Thomas Lanem | 438 Edward Mahoney |
| 388 C. C. Cady | 439 H. Dontt |
| 389 J. B. McGinnis | 440 Thomas Caffer |
| 390 J. A. Lancaster | 441 John Kelly |
| 391 D. A. Smith | 442 J. Lester |
| 392 Geo. Fillman | 443 Joseph Palmer |
| 393 Andrew Deitz | 444 H. Storm |
| 394 S. Fuller | 445 L. Lerfland |
| 395 Geo. Luggeder | 446 James McSidd |

447 John E. Comb	481 Charles L. Krafer
448 George Cleson	482 C. Lewis
449 M. E. Merrett	483 J. H. Sanders
450 Flu Hasbrick	484 H. Smith
451 J. W. Mezerd	485 James King
452 A. A. Haskill	486 James Jones
453 T. A. Haskill	487 J. C. Smith
454 James Hallam	488 W. Sawe
455 Lin McCarty	489 V. Payden
456 William Cashmere	490 James Haws
457 M. Conroy	491 A. Graffe
458 Thomas Slime	492 G. Lenden
459 George W. Wood	493 J. Walden
460 E. Latter	494 C. W. Burden
461 A. Drink	495 S. W. Wood
462 L. Fosnelle	496 John Refferty
463 George L. Gem	497 Samuel Green
464 George Harvey	498 L. P. Brim
465 W. McFarland	499 G. W. Martin
466 Samuel Hawkins	500 William Philips
467 James Birch	501 A. Kelsey
468 C. Gehus	502 A. Way
469 F. Nedac	503 S. Griffiths
470 D. Bland	504 Edward Setler
471 Thomas Hamilton	505 V. Gates
472 Thomas Glunen	506 B. H. Otis
473 John Rcerry	507 John Lewis
474 William Hines	508 John Presner
475 S. E. Bergy	509 P. Watson
476 William Kelly	510 Charles Real
477 W. Henny	511 James Newell
478 Peter McGild	512 C. W. Sperry
479 W. A. Rickern	513 J. S. Sumhu
480 Horace Wahren	514 John Luskey.

[No certificate.]

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, 1855.

M. J. Parrott.....	492 votes.
M. W. Delahay.....	495 "
Matt France.....	493 "
D. Dodge.....	493 "
S. W. Lattie.....	493 "
Robert Riddle	493 "

"We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that M. J. Parrott has received four hundred and ninety-two votes, M. W. Delahay four hundred and ninety-five votes, Matt France four hundred and ninety-three votes, S. W. Lattie four hundred and ninety-three votes, Robert Riddle four hundred and ninety-three votes, D. Dodge four hundred and ninety-three votes, cast at an election held at Leavenworth precinct," &c., &c., as in the printed form.

LEAVENWORTH CITY, *October 9, 1855.*

ADAM FISHER,
WM. T. HARRISON,
H. H. HOOK,

Judges.

Attest: SCOTT J. ANTHONY,
CHARLES E. PEARSON, *Clerks.*

SIXTEENTH DISTRICT.—*Easton Precinct.*

Poll-book.—List of voters who have cast their ballots for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

1 Joseph Hicks	29 Michael Green
2 Francis Browning	30 J. D. Leepen
3 Thomas A. Menard	31 James Halchens
4 Joseph Elliot	32 John Hobaugh
5 George Swaim	33 Thomas W. Brooks
6 Anaziah Sparks	34 William H. P. Bristis
7 E. L. Monley	35 G. W. Messersmith
8 Stephen Sparks, jr.	36 William Butt
9 Moses Hicks	37 B. B. Mize
10 William H. Goble	38 Philip Miller
11 David P. Bethuram	39 Daniel McNish
12 P. R. Orr	40 Zachariah Sparks
13	41 J. H. York
14 Simpson Goble	42 William Pyle
15 John W. Hendricks	43 F. G. Bradin
16 William Rose	44 Thompson Coker
17 Joseph Langley	45 J. H. Mize
18 Daniel Nixon	46 Bauben L. Bean
19 William Sparks	47 Jacob Anderson
20 Jacob Loughmiller	48 Melzer Cole
21 Daniel Shepley	49 Isaac S. Pyle
22 Henry Ready	50 John C. Norton
23 C. C. Lenville	51 Samuel Horton
24 Stephen Sparks, sr.	52 Jonathan Wallace
25 Henderson Thomas	53 Stephen A. Danner
26	54 Thomas Vanner
27 Levi White	55 Andrew Phillips
28 Henry Ogle	56 John Wattle

57 William B. Pearson
 58 Joseph A. Trower
 59 John Fiddler
 60 John N. Tencher

61 Joshua Pearson
 62 John T. Sparks
 63 John Maxwell.

(The certificate to the poll-list fails to state the number of voters, but is good as to their qualifications, the printed form being used.)

EASTON, October 9, 1855.

STEPHEN SPARKS,
 JACOB LOUGHMILLER,
 C. C. LINVILLE, *Judges.*

Attest: JACOB LOUGHMILLER,
 C. C. LINVILLE, *Clerks.*

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

M. J. Parrott.....	61 votes.
M. W. Delahay.....	61 "
Matt France.....	61 "
Mr. Latta	61 "
D. Dodge	61 "
Robert Riddle.....	61 "

"We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that M. J. Parrott, M. W. Delahay, Matt France, Mr. Latta, D. Dodge, and Robert Riddle, have received each sixty-one votes, cast at an election held at Easton precinct," &c., &c., as in the printed form.

EASTON, October 9, 1855.

STEPHEN SPARKS,
 JACOB LOUGHMILLER,
 C. C. LINVILLE, *Judges.*

Attest: JACOB LOUGHMILLER,
 C. C. LINVILLE, *Clerks.*

SIXTEENTH DISTRICT.—Wyandot Precinct.

Poll-book.—List of voters who have cast their ballots for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

1 C. Calhoun	7 John Brumback
2 S. E. Forsythe	8 Lewis Clark
3 William Johnson	9 James Bigtree
4 J. H. Denis	10 John L. Coon
5 Mathew Splitlogs	11 Squire Gray Eyes
6 James Todd	12 George J. Clark

H. Rep. 200—45*

13 William P. Good	26 Joseph Williams
14 Granville Peacock	27 Jesse Game
15 John Chop the Logs	28 Captain Bullhead
16 Benjamin Poormer	29 William Hicks
17 John Little Chief	30 John Salloman
18 John Batiste	31 Jacob Heek
19 Abelard Guthrie	32 White Wing
20 John Beaver	33 Jacob White Crow
21 Henry Middlebush	34 Robert Johnson
22 George Spy Buck	35 Ethan Big Arms
23 Clayburn Henderson	36 John Little Cornstalk
24 Peter Bearskin	37 John Spy Buck
25 Isaac P. Driver	38 Horatio Walton.

(The certificate as to the number and qualifications of the voters is in the usual form, signed as follows:)

WYANDOT, October 9, 1855.

ABELARD GUTHRIE,
GEORGE J. CLARK,
MATHEW ^{his} + SPLITLOG,
mark.

Attest: WILLIAM P. GOODE,
JAMES TODD, *Clerks.*

Judges.

There is no tally-list.

"We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that M. J. Parrott has received thirty-eight votes, M. W. Delahay thirty-eight votes, Matt France thirty-eight votes, D. Dodge thirty-eight votes, S. M. Latta thirty-eight votes, Robert Riddle thirty-eight votes, being the unanimous vote cast at an election held at Wyandot precinct," &c., &c., as in the printed form.

WYANDOT, October 9, 1855.

ABELARD GUTHRIE,
GEORGE CLARK,
MATHIAS ^{his} + SPLITLOG,
mark.

Attest: WALTON P. GOODE,
JAMES TODD, *Clerks.*

Judges.

SIXTEENTH DISTRICT.—Ridge Precinct.

Poll-book.—List of voters who have cast their ballots for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

1 J. W. Golden	3 Hiram Keith
2 C. F. Bredo	4 James Wells

5 Jacob Copple	27 James P. Solsbury
6 George K. McKnight	28 John H. Justis
7 William Bohart	29 Harrison Farris
8 Henry Root	30 Ehud Justis
9 Thomas Selfe	31 Richard H. Phelan
10 C. B. Sherman	32 William Pennock
11 James Fraser	33 J. A. Lindsey
12 Joseph Pennock	34 H. Howard
13 William Hasford	35 John Checkfield
14 Paul Dowlin	36 John Kussinger
15 H. L. Pennock	37 James McClintec
16 Isaac Cady	38 James Shaggs
17 G. B. Merriman	39 Baston Kussinger
18 J. M. Pinkinson	40 C. J. Wise
19 Charles H. Pennock	41 Isaac Edwards
20 Robert Dallas	42 Isaac Vancamp
21 J. B. Pennock	43 William Wright
22 Nicholas Lockerman	44 J. B. Marion
23 Samuel M. Lyon	45 Garrett Drew
24 John H. Henderson	46 John A. Sawyer
25 Jesse G. Henderson	47 James Shaggs.
26 Orick S. Allen	

No certificate to the poll-list.

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855, at the house of William Pennock, in the sixteenth election district.

M. J. Parrott	47 votes.
M. W. Delahay	47 "
Matt France	47 "
D. Dodge	47 "
A. M. Latta	47 "
R. Riddle	47 "

"We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that the above-named persons have received forty-seven votes each, cast at an election held at William Pennock's, in Ridge precinct," &c., as in the printed form.

RIDGE PRECINCT, October 9, 1855.

WM. PENNOCK,
J. A. LINDSEY,
N. LOCKERMAN,
Judges.

Attest: J. B. PENNOCK,
R. H. PHELAN, *Clerks.*

SIXTEENTH DISTRICT.—*Delaware Precinct.*

Poll-book of votes polled at the Delaware precinct (sixteenth election district) for delegates to a convention to form a constitution for Kansas.

1 A. Ray	12 F. A. Hart
2 Charles Seacay	13 Samuel France
3 George Evens	14 Peter Wyland
4 Jonah Hague	15 James Withers
5 F. J. Abshire	16 James O. Curley
6 Jacob Wyland	17 Abram Helems
7 Merrill Davis	18 Hiram Massoner
8 Jeremiah Wheeler	19 E. Creger
9 F. M. McGrew	20 John Hartsel
10 Philip Zeigler	21 Louis Moore
11 Henry Turner	22 Byram Hague.

No certificate of poll-list.

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

M. J. Parrott.....	22 votes.
M. W. Delahay.....	22 “
Matt France.....	22 “
D. Dodge.....	22 “
S. M. Latta.....	22 “
Robert Riddle.....	22 “

“We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that A. H. Reeder has received twenty-two votes, and delegates to the convention twenty-two votes, cast at an election held at the city of Delaware precinct,” &c., &c., as in the printed form.

DELAWARE CITY, October 9, 1855.

F. M. MCGREW,
ABRAHAM RAY,
MERRIL DAVIS,

Judges.

Attest: JACOB WYLAND,
JEREMIAH WHEELER, *Clerks.*

SEVENTEENTH DISTRICT.—*Wakarusa Precinct.*

Poll-list of voters for delegates to a convention to form a constitution for Kansas, October 9, 1855, at Wakarusa precinct.

Lewis H. Bascom	Ellis Bond
Albert G. Green	Charles Freeman.
Martin Fickle	

No tally-list.

Certificate that—

“We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that William Graham and Samuel Mewhinney have received five votes each, cast at an election held at Pascal Fish's store, Wakarusa,” &c., as in the printed form.

OCTOBER 9, 1855.

LEWIS H. BASCOM,
ELLIS BOND,
ALBERT G. GREEN,
Judges.

Attest: CHARLES FREEMAN,
SILAS BOND, *Clerks.*

SEVENTEENTH DISTRICT.—*Mission Precinct.*

List of voters who have cast their ballots for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, 1855.

1 Henry Wilson	8 James Ironsides
2 Henry Bolenger	9 Sam'l M. Conatzer
3 Jeremiah A. Hadley	10 George L. Osborn
4 John H. Smith	11 Lewis Dougherty
5 Newton Henshaw	12 A. Gregory
6 J. B. Swain	13 C. A. Conatzer.
7 J. G. Snodgrass	

Certificates properly filled, and signed as follows:

MISSION PRECINCT, October 9, 1855.

GEORGE L. OSBORN,
SAMUEL M. CONATZER,
LEWIS DOUGHERTY,
Judges.

Attest: CALVIN A. CONATZER,
A. GREGORY, *Clerks.*

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, 1855.

William Graham	13
Samuel Mewhinney.....	13

Printed certificates properly filled, and signed:

MISSION PRECINCT, October 9, 1855.

GEORGE L. OSBORN,
LEWIS DOUGHERTY,
SAMUEL M. CONATZER,
Judges.

Attest: C. A. CONATZER,
A. GREGORY, *Clerks.*

BLANK FORMS.

*Form of judge's certificate.*LAWRENCE, *September 22, 1855.*

Mr.

SIR: Having entire confidence in your integrity, patriotism, and ability, you have been selected and are hereby appointed as one of the judges of the election to be holden in your precinct, in the Territory of Kansas, at _____, on the second Tuesday, (October 9th, 1855,) for members of a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government preparatory to the admission of Kansas into the Union as a State.

Per order executive committee of Kansas Territory :

J. H. LANE, *Chairman.*J. K. GOODIN, *Secretary.*

Oath.

I, _____ do swear that I will perform my duties as judge of the election to be held at _____ in the election district of the Territory of Kansas, to the best of my judgment and ability ; that I will keep a true, correct, and faithful record or list of all persons who shall vote at said election ; that I will poll no ticket from any person who is not an actual inhabitant and resident of said Territory, and whom I shall not honestly believe to be a qualified voter according to the provisions of the act of Congress organizing said Territory ; that I will reject the votes of all non-residents who I shall believe have come into the Territory for the mere purpose of voting ; that in all cases where I am ignorant of the voter's right, I will require a legal evidence thereof by his own oath or otherwise ; and that I will truly count and record the votes received, and make a true and faithful return thereof to the executive committee of Kansas Territory.

Sworn before me, this _____ day of _____ 1855.

List of voters who have cast their ballots for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A. D. 1855.

We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that the whole number of legal votes cast at an election held at _____ precinct, in Kansas Territory, on the second Tuesday of October, 1855, it being the ninth day of said month, between the hours of 10 o'clock, a. m., and 4 o'clock, p. m., of said day, for the election of _____ delegates to a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government, preparatory to the admission of Kansas as a State, to be _____

We, the said judges and clerks, further certify upon our oaths, that the said voters were white male inhabitants, citizens of the United States above the age of twenty-one years, bona-fide residents of said Territory of Kansas, having actually resided therein for the period of thirty days immediately preceding said election day.

OCTOBER 9, 1855.

_____ } Judges.

ATTEST:

_____ } Clerks.

Tally-list of votes cast for delegates to a convention to form a constitution for Kansas, held on this second Tuesday, the ninth day of October, A.D. 1855.

We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that _____ has received _____ votes cast at an election held at _____ precinct, in Kansas Territory, on the second Tuesday of October, 1855, it being the ninth day of said month, between the hours of 10 o'clock, a. m., and 4 o'clock, p.m., of said day, for delegates to a convention to form a constitution, adopt a bill of rights for the people of Kansas, and take all needful measures for organizing a State government, preparatory to the admission of Kansas as a State.

We, the judges and clerks of said election, further certify upon our oaths, that the said voters were white male inhabitants, citizens of the United States, above the age of twenty-one years, bona-fide residents of said Territory of Kansas, having actually resided therein for a period of thirty days immediately preceding said election day.

OCTOBER 9, 1855.

_____ } Judges.

ATTEST:

_____ } Clerks.

ADOPTION OF A CONSTITUTION.

DECEMBER 15, 1855.

Poll-book of voters who have cast their ballots at an election held on the 15th day of December, A. D. 1855, at Lawrence precinct, in district No. 1, in Kansas Territory, on the adoption or rejection of a constitution for the State of Kansas, and upon the general banking-law clause and black-law proposition.

1 James H. Lane	40 Richard Knight
2 E. D. Searl	41 A. Knight
3 William L. Brigden	42 A. R. Burdett
4 James F. Legatt	43 Simon Ritter
5 G. F. Earl	44 C. S. Pratt
6 Solomon Oilds	45 J. W. Ackley
7 W. K. R. Blacmore	46 Daniel Curry
8 G. P. Lowry	47 G. W. Nichols
9 H. N. Bent	48 James White
10 D. N. Conger	49 Mathew Spittle
11 J. L. Crane	50 J. P. Filer
12 R. S. Bassett	51 W. N. Baldwin
13 C. F. Doy	52 Daniel Lowe
14 Levi Charles, jr.	53 S. B. Bacon
15 Wm. Kitchenman	54 John Mack
16 P. R. Brooks	55 Benton Oakley
17 G. S. Leonard	56 Am. Whitlack
18 C. P. Farnsworth	57 S. E. Knight
19 Henry Arthurton	58 J. M. Colburn
20 S. J. Pratt	59 F. A. Muzzy
21 H. A. Hancock	60 Charles Robinson
22 Wm. Hutchison	61 E. D. Lyman
23 Joseph Sheilds	62 A. P. Knowles
24 G. W. Deitzler	63 Edward Monroe
25 J. W. Hopping	64 A. J. Gabert
26 J. H. Green	65 C. N. Henley
27 B. C. Galliday	66 J. G. Crocker
28 C. C. Hyde	67 H. A. Campbell
29 Morris Hunt	68 Benjamin Johnson
30 G. W. Smith	69 J. B. Conway
31 R. G. Elliot	70 R. H. Waterman
32 Edwin Emerson	71 William Andrews
33 G. W. Rhineback	72 E. D. Whipple
34 Oscar Harlow	73 N. L. Byant
35 S. M. Kirby	74 John Day
36 J. P. Purdy	75 Robert Buffune
37 H. N. Simpson	76 S. P. Brown
38 Fred. Kimball	77 R. F. Hooton
39 A. A. Saxton	78 J. J. Geraud

- | | |
|-----------------------|-----------------------|
| 79 J. M. Gillis | 130 Ferdinand Fuller |
| 80 G. M. Buffune | 131 W. D. Attwood |
| 81 R. H. Kimball | 132 N. Snyder |
| 82 Adam Johns | 133 J. S. Tabor |
| 83 M. D. Earl | 134 Albert Slanders |
| 84 Arthur Gunther | 135 J. J. McGee |
| 85 D. K. Aright | 136 Jonathan Rigdon |
| 86 S. N. Hardwell | 137 A. H. Mallery |
| 87 L. B. Dennis | 138 W. S. Bishop |
| 88 S. Whitehorn | 139 Reuben Cragg |
| 89 C. Clemens | 140 Norman Allen |
| 90 Joshua Shaxter | 141 J. G. Fuller |
| 91 J. W. Morey | 142 E. A. Coleman |
| 92 J. A. Pike | 143 J. G. Ricker |
| 93 Charles Gavin | 144 Joseph Cracklin |
| 94 A. Saddis | 145 Joseph Savage |
| 95 Clark Stearnes | 146 O. D. Smith |
| 96 Ira Brown | 147 F. Savage |
| 97 C. H. White | 148 Hugh O. Neil |
| 98 Columbus Hornsby | 149 C. M. Adams |
| 99 N. S. Storiz | 150 William Orr |
| 100 Edward Clark | 151 M. Blowers |
| 101 Edward Ainslow | 152 Joseph Hutchinson |
| 102 C. A. Wright | 153 Milan Grout |
| 103 L. O. Follis | 154 Otis Wilmoth |
| 104 L. C. Follis | 155 L. D. Coleman |
| 105 B. G. Livingston | 156 Alexander Meyers |
| 106 C. H. Thomas | 157 William Carles |
| 107 D. O. Lindsley | 158 John Pierson |
| 108 John Moorhead | 159 David Parin ton |
| 109 J. S. Emery | 160 M. R. Clough |
| 110 E. Bomans | 161 Noah Cameron |
| 111 Henry Hard | 162 James Blood |
| 112 John Kidwell | 163 H. P. Cutting |
| 113 J. P. Clark | 164 J. S. Jones |
| 114 A. M. Hughes | 165 Allen Ham |
| 115 S. J. D. Prentiss | 166 Joshua Smith |
| 116 J. L. Witney | 167 S. J. Willis |
| 117 G. S. Lapham | 168 Henry Green |
| 118 C. R. Newcomb | 169 Henry Smith |
| 119 C. P. Fitch | 170 John Smith |
| 120 Wm. Parks | 171 Pleasant Kirby |
| 121 Francis Killam | 172 Sol. Everett |
| 122 J. H. Gleason | 173 B. S. Richardson |
| 123 Samuel Bryson | 174 P. L. Titer |
| 124 L. M. Cox | 175 Theodore Jones |
| 125 Wm. Yates | 176 Frank Hunt |
| 126 S. F. Tappan | 177 Seth Rodibough |
| 127 Otis Potter | 178 M. L. Gaylord |
| 128 Harrison Nichols | 179 T. S. Smith |
| 129 Stephen Logue | 180 Howard York |

- | | |
|----------------------|----------------------|
| 181 P. V. Eskidge | 232 J. A. Finley |
| 182 ——— Churchill | 233 Alex. Miller |
| 183 James Smith | 234 John Ross |
| 184 Wm. B. Hornsbey | 235 Francis Parker |
| 185 S. P. Cimple | 236 A. H. Vince |
| 186 Charles Campbell | 237 Silas Green |
| 187 G. W. Hunt | 238 Thomas Brinkley |
| 188 W. A. Gentry | 239 James Jamison |
| 189 J. A. Coffey | 240 James Jenkins |
| 190 M. W. Taylor | 241 R. H. Pierce |
| 191 Robert Morrow | 242 G. H. Crocker |
| 192 A. Payne | 243 William Lyon |
| 193 J. P. Strout | 244 Wm. L. Anderson |
| 194 J. P. Aright | 245 Henry Bronson |
| 195 Reuben Randall | 246 John Lowry |
| 196 A. Witcomb | 247 B. W. Woodward |
| 197 James Anderson | 248 J. D. Davidson |
| 198 B. R. Whillow | 249 Samuel Reynolds |
| 199 Lewis Anderson | 250 E. F. Reynolds |
| 200 Josiah Miller | 251 L. J. Worden |
| 201 Robert Garvin | 252 George Gilbert |
| 202 P. A. Woodward | 253 Ellmore Allen |
| 203 J. A. Dale | 254 A. G. Weeks |
| 204 T. Hill | 255 Turner Sampson |
| 205 Joel Grover | 256 C. C. Emery |
| 206 C. H. Lovejoy | 257 William Evans |
| 207 A. J. Kennedy | 258 J. F. Morgan |
| 208 Thomas Brooke | 259 Wm. Warriker |
| 209 N. D. Howland | 260 N. J. Lyon |
| 210 C. G. Hoyt | 261 J. W. Williams |
| 211 C. A. Pease | 262 Steven Crocket |
| 212 B. F. Pease | 263 Ezra Pierce |
| 213 Samuel Kimball | 264 J. M. Mathews |
| 214 Joseph Merchant | 265 N. D. Short |
| 215 David Browne | 266 W. H. Oliver |
| 216 Leonard Merchant | 267 Edward Webb |
| 217 E. D. Ladd | 268 B. H. Whitlow |
| 218 A. Cutler | 269 Ransom Calkins |
| 219 S. Anderson | 270 J. G. Sands |
| 220 S. C. Harrington | 271 Jas. Christian |
| 221 W. B. Hayden | 272 Thos. McFarland |
| 222 S. Johnson | 273 Robert McFarland |
| 223 H. E. Babcock | 274 John McFarland |
| 224 E. S. Scudder | 275 Samuel Gill |
| 225 F. A. Bailey | 276 A. K. Allen |
| 226 Newman Garwood | 277 G. W. Goss |
| 227 S. N. Simpson | 278 Thos. McAboy |
| 228 J. W. Graham | 279 O. A. Hanescomb |
| 229 T. J. Casseborn | 280 Jno. N. Penoyer |
| 230 Moses Meal | 281 G. W. Brown |
| 231 N. F. Hirrick | 282 John Clarey |

283	Norman Chambers	320	B. W. Miller
284	C. W. Williams	321	J. C. Brook
285	L. Ferguson	322	A. B. Wade
286	Chester Waldroff	323	Calvin Adams
287	G. W. Gillis	324	A. Stearnes
288	Henry Blair	325	E. A. Barnes
289	John Wise	326	Michael Albin
290	J. M. Fuller	327	J. A. Davidson
291	S. S. Snyder	328	Morton Adams
292	John Gingery	329	S. Y. Suno
293	W. G. Welles	330	Hollis Wilbur
294	Samuel Fry	331	Philip Wymer
295	Aron Perry	332	T. Welles
296	Richard Miller	333	Abram Wilder
297	Thomas Haskell	334	Ephraim Nute
298	Charles Pearsall	335	W. S. Kimball
299	J. C. Hartwell	336	T. E. Sumner
300	L. Haskell	337	Robert Gilbert
301	E. A. Dellam	338	Malon Moore
302	Philip Cook	339	C. A. Adams
303	Emery Whetherbey	340	Chas. Garrett
304	Daniel Mallay	341	Ludwig Meyers
305	W. Cleland	342	R. A. Cummins
306	David Black	343	G. W. Hutchison
307	Willard Colburn	344	Jno. Wilder
308	Green Bridges	345	J. H. Ferman
309	Jas. F. Wood	346	J. E. Rice
310	J. D. Barnes	347	C. W. Southward
311	Geo. Paps	348	Edwin Bond
312	John McClelland	349	A. A. McGee
313	Franklin Monroe	350	N. H. Wheeler
314	Oscar Barress	351	Lyman Allen
315	H. Tucker	352	Acelph Allen
316	Michael Cratbey	353	H. N. Canfield
317	A. Rowley	354	Jno. A. Ladd
318	Hiram Dunbar	355	G. W. Campbell
319	James Cowan	356	A. Rowley

The printed certificate properly filled, (see forms,) and signed as follows:

	A. D. SEWELL, LYMAN ALLEN, JAMES F. LEGATE,	} <i>Judges.</i>
Attest: W. L. BRIGDEN, MORRIS HUNT,	} <i>Clerks.</i>	

Tally-list.

Constitution.....	348
No constitution.....	1
General banking law—Yes.....	225
General banking law—No.....	83

Exclusion of negroes and mulattoes—Yes.....	133
Exclusion of negroes and mulattoes—No.....	223

The above tallies are properly arranged in the table. (See form.) They are incomplete. The certificate is not properly made out, and is not in agreement with the tally-list. Two hundred and fifty-five is inserted in the certificate as voting for the general banking law instead of two hundred and twenty-five; but in the duplicate the tally-list and the certificate agree.

Each copy of the certificate has one hundred and thirty-four, instead of one hundred and thirty-three, as voting for the exclusion of negroes and mulattoes.

Signed as follows:

A. D. SEARL,
LYMAN ALLEN,
JAMES Y. LEGATE, } *Judges.*

Attest: WM. S. BRIGDEN, }
MORRIS HUNT, } *Clerks.*

FRANKLIN PRECINCT.

Poll-book.

1 William Rollins	28 Homer Hays
2 H. L. Ennis	29 Ben. Rogers
3 Thos. Seaton	30 E. B. Johnson
4 David Burton	31 J. G. MacClelland
5 James McGee	32 William Stroup
6 Jackson Sellers	33 A. Still
7 Robert Ervin	34 James M. Still
8 Isaac Shoop	35 E. M. Wallace
9 Daniel Scannell	36 J. Vanwinkle
10 Samuel Southerland	37 E. C. Sanith
11 J. Garvin	38 Jno. P. Wood
12 Wm. Bridges	39 Jno. J. McGee
13 E. B. Purdoin	40 Thos. McGee
14 Thos. Waller	41 Millikin Wallace
15 David Meechem	42 H. P. Lacy
16 Joseph Shuler	43 Jas. S. Smith
17 J. D. Harrington	44 A. N. McGee
18 Franklin Currans	45 W. G. Piper
19 L. A. Prather	46 H. A. Hunter
20 Thos. Artlebury	47 W. S. Hull
21 Michael Glenn	48 B. C. Talley
22 S. T. Hannon	49 T. W. Painter
23 A. Lawhead	50 A. W. Wheadon
24 H. T. Crane	51 Moses Flora
25 H. H. Bybee	52 John R. Lawhead
26 John Stroup	53 Thomas Anderson.
27 John Anderson	

The printed forms properly filled, (see forms,) and signed as follows:

	H. S. ENOS,	} <i>Judges.</i>
	DAVID BURTEN,	
	JAMES McGEE,	
Attest: S. SUTHERLAND,	} <i>Clerks.</i>	
DANIEL SCANNELL,		

Tally-list.

Constitution	48
No constitution.....	4
General banking law—Yes.....	31
General banking law—No.....	15
Exclusion of negroes and mulattoes—Yes.....	48
Exclusion of negroes and mulattoes—No.....	2

The certificate is correctly filled out, and signed as follows:

	H. S. ENOS,	} <i>Judges.</i>
	DAVID BURTEN,	
	JAMES McGEE,	
Attest: SAMUEL SUTHERLAND,	} <i>Clerks.</i>	
DANIEL SCANNELL,		

PALMYRA PRECINCT.

Poll-book.

William Barricklow	David Eldridge
John Peasley	William Roe
Daniel Barricklow	John Roe
Thomas Chapman	John Brown
Joseph Barricklow	Richard N. Pearson
Robert Pearson	Jacob Cantwell.

The printed forms properly filled, (see forms,) and signed as follows:

	WM. BARRICKLOW,	} <i>Judges.</i>
	R. H. PEARSON,	
	JOHN H. PEASLEY,	
Attest: WILLIAM ROE,	} <i>Clerks.</i>	
JOHN ROE,		

Tally-list.

Constitution.	No constitution.	Gen'l banking law.—Yes.	Gen'l banking law.—No.	Exclusion of negroes and mulattoes.—Yes.	Exclusion of negroes and mulattoes.—No.
1				1	
1		1		1	
1		1		1	
1			1	1	
1		1		1	
1		1		1	
1		1	1	1	
1		1		1	
1		1		1	
1		1	1	1	
1	1	1		1	
				1	
11	1	9	3	12	

The certificate is correctly filled out. Signed as follows:

WILLIAM BARRICKLOW, }
 R. H. PEARSON, } *Judges.*
 JOHN H. PEASLEY, }

Attest: WM. ROE, }
 JOHN ROE, } *Clerks.*

BLANTON PRECINCT.

Poll-book.

1 Samuel Smith	18 Jonathan Ogden
2 Lewis Howell	19 Collins Halloway
3 Hugh Pallengall	20 Peter Praetty
4 Charles Gorden	21 E. Smith
5 J. R. Kennedy	22 David Griffiths
6 F. N. Hellstrum	23 Jno. Roberts
7 J. J. Smith	24 Henry Williams
8 Isaac Shaffer	25 F. G. Vaughen
9 Joseph Everhart	26 L. W. Plumb
10 James E. Saffer	27 Josiah Houghton
11 Geo. F. Pabst	28 Wm. Estabrook
12 J. W. Hotwater	29 James M. Jones
13 John Saletiel	30 G. W. Berry
14 F. H. Kennedy	31 N. B. Blanton
15 O. P. Kennedy	32 James Lane
16 R. P. Moore	33 Wm. P. Kennedy
17 F. J. Loock	34 Edward Jones

35 Wm. Livermore	56 Wm. L. G. Soule
36 B. Hitchcock	57 Wm. D. Jimmerson
37 S. G. Johnson	58 E. Griffith
38 Geo. W. Fitz	59 Samuel Merrill
39 A. B. Smith	60 D. T. Morris
40 S. L. Lapham	61 Charles Newman
41 Enoch Howard	62 Henry Newman
42 Jno. E. Stewart	63 Leonard Crane
43 P. S. Hutchison	64 Jacob Branson
44 P. F. Huff	65 Ezekiel Duzan
45 J. B. Abbott	66 Jno. Curtis
46 Simon Gilson	67 Lewis Staggers
47 H. F. Saunders	68 J. Elliot
48 E. W. Bennett	69 Joshua Hews
49 Paul Jones	70 Thos. Hopkins
50 Samuel Lucas	71 Salem Gleeson
51 Edmund Corless	72 A. F. Bercau
52 J. R. Griffith	73 Clark Tefft
53 R. D. Norton	74 George Carey
54 Chas. Dickson	75 Thos. B. Smith
55 L. H. Rowley	76 E. A. Landon.

The printed forms properly filled, (see forms,) and signed as follows :

	JOHN E. STEWART,	} Judges.
	PHILIP S. HUPP,	
	P. S. HUTCHISON,	
Attest : GEO. W. FITZ,	} Clerks.	
SAMUEL G. JOHNSON,		

Tally-list.

Constitution	72
No constitution.....	2
General banking law—Yes.....	59
General banking law—No.....	14
Exclusion of negroes and mulattoes—Yes.....	
Exclusion of negroes and mulattoes—No.....	

The certificate is correctly filled out, and signed as follows:

	JOHN E. STEWART,	} Judges.
	PHILIP S. HUPP,	
	P. S. HUTCHISON,	
Attest : GEO. W. FITZ,	} Clerks.	
DANIEL G. JOHNSON,		

SECOND DISTRICT—*Bloomington Precinct.*

Poll-book of voters who have cast their ballots at an election held on the 15th day of December, A. D. 1855, at the house of H. Bursen, Bloomington precinct, in district No. 2, in Kansas Territory, on the adoption or rejection of a constitution for the State of Kansas, and upon the general banking-law clause and black-law proposition.

1 William W. Henning	44 George Anderson
2 G. Norton	45 J. J. Ater
3 Isaac Davis	46 L. M. Pierson
4 Wm. Draper	47 R. F. Barber
5 R. N. Woodard	48 L. Duffee
6 N. Ramsay	49 ——— Hazeltine
7 Nicholas Allgues	50 Richard Day
8 H. T. Wakefield	51 H. L. Baldwin
9 J. C. Dunn	52 G. W. Cosby
10 Joseph Anderson	53 Samuel Cary
11 Wm. Haseltine	54 Samuel Walker
12 Marquis Kelsi	55 Samuel Kenedy
13 H. C. Alderman	56 Levi Kenoz
14 Henry Hine	57 William Ferguson
15 Thomas Bicerten	58 Eli Herring
16 James Herring	59 A. Walker
17 William Watson	60 John Macy
18 O. L. Spradling	61 Daniel Haseltine
19 Robert Allen	62 David P. Haseltine
20 George W. Perse	63 J. M. Nelson
21 J. P. Miller	64 William Jessee
22 R. H. Rawson	65 H. A. Cosby
23 Wm. Byerty	66 John Wilsey
24 John Hatfield	67 Robert Hughes
25 Daniel C. Holbert	68 William Hall
26 A. N. Baldwin	69 George Levin
27 Thomas Overfield	70 T. Edwards
28 H. Burson	71 J. C. Casebier
29 J. A. Wakefield	72 J. N. Mace
30 Thomas H. Snyder	73 D. B. Hiatt
31 Thomas Wolverton	74 Jonathan Doan
32 A. Curtis	75 William McCready
33 James M. Dunn	76 Green Morgan
34 C. W. Bailey	77 Charles Wright
35 Edward Jones	78 Nathan Hachet
36 J. A. Boyd	79 James Wallace
37 Cyrus C. Scofield	80 Daniel Hager
38 E. Disbro	81 E. Booter
39 H. Tacket	82 Benjamin Stowe
40 Daniel Vansell	83 F. Hendricks
41 Thomas Barber	84 L. Scott
42 G. W. Umberger	85 John Flemister
43 J. C. Archibald	86 Owen T. Basset
H. Rep. 200—46*	

87 E. W. Smith	113 Jackson Roberts
88 J. Oakely	114 Henry Lewis
89 E. Conner	115 Alfred Reak
90 Henry H. Conner	116 George Fillmore
91 Rufus Swaine	117 Harrison H. Wood
92 R. O. Johnston	118 Abel Yates
93 J. W. Hamilton	119 Samuel Casebar
94 A. J. Smith	120 A. J. Casebar
95 E. Huddleston	121 John Dewitt
96 J. Gardner	122 B. F. Hancock
97 J. N. Reynolds	123 Dudley Bryant
98 John Kinney	124 Aaron Platts
99 J. W. Futon	125 Frederick Hoffman
100 G. T. Mock	126 Joseph Bryant
101 Madison Clayton	127 Jabez Petepit
102 Samuel Jones	128 L. B. Wolverton
103 David Ward	129 Andrew White
104 Parson Haskins	130 A. White
105 George Hill	131 H. Fick
106 C. Oakley	132 William Tacket
107 T. B. Woodard	133 J. L. Speer
108 Kirsy Soneer	134 David Aikin
109 Robert Roberts	135 J. B. F. McPhersin
110 John Branner	136 A. E. Love
111 Joseph Cox	137 G. W. Chapin.
112 David Lewis	

We, the undersigned, judges and clerks of election, hereby certify, upon our oaths, that the whole number of votes cast at an election held at Bloomington precinct, in second district, in Kansas Territory, on the 15th day of December, A. D. 1855, for the adoption or rejection of a constitution, the separate article in relation to a general banking-law, framed by the constitutional convention which assembled at Topeka, on the 23d day of October, 1855, for the State of Kansas, and the independent proposition in relation to instructing the first general assembly on the subject of negroes and mulattoes, to be in number one hundred and thirty-seven; and we further certify that the said voters were *bona fide* citizens of the United States, above the age of twenty-one years, and actual residents of the Territory of Kansas for thirty days immediately preceding this election, and still continue the same as their home and residence.

JAMES M. DUNN,
DANIEL VANEIL,
Z. W. REMBERGER, } *Judges.*

Attest: THOMAS B. WOLVERTON, }
HENRY L. BALDWIN, } *Clerks.*

Tally-list.

The tallies are not given. Blank filled as follows :

Constitution. Yes.	Constitution. No.	Gen'l banking law.—Yes.	Gen'l banking law.—No.	Exclusion of ne- groes and mu- lattoes.—Yes.	Exclusion of ne- groes and mu- lattoes.—No.
137	-----	122	11	113	15

The printed certificate is filled properly with the above numbers, (see form in first district,) and signed as follows :

JAMES M. DUNN,
DANIEL VANEIL,
F. W. BEMBERGER, } *Judges.*

Attest: THOS. B. WOLVERTON, }
HENRY L. BALDWIN, } *Clerks.*

SECOND DISTRICT—*East Douglas.*

Poll-book.

1 Henry Conrad	10 Alphonso Jones
2 P. B. Harris	11 Owen Taylor
3 J. F. Jackson	12 William Phillips
4 S. Smith	13 William Hampton
5 J. Oakly, sen.	14 William Caler
6 H. C. Muz	15 Mortimer Tript
7 R. Cole	16 Joel Phillips
8 J. W. Emerson	17 William Cage
9 J. H. Shimmons	18 E. B. Knight.

The printed certificate is properly filled, in accordance with the above, and signed as follows :

P. B. HARRIS,
J. H. SHIMMONS, } *Judges.*
J. F. JACKSON, }

Attest: P. B. HARRIS, }
J. H. SHIMMONS, } *Clerks.*

SECOND DISTRICT—*East Douglas.*

Tally-list.

Constitution	18
No constitution	

General banking law—Yes.....	13
General banking law—No	4
Exclusion of negroes and mulattoes—Yes.....	14
Exclusion of negroes and mulattoes—No.....	4

[The above tallies are under the proper headings in the printed form.]

The certificate is properly filled, and accords with the tally-list, signed as follows:

P. B. HARRIS,
J. H. SHIMMONS, } *Judges.*
J. F. JACKSON, }

Attest: P. B. HARRIS, }
J. F. SHIMMONS, } *Clerks.*

THIRD DISTRICT—Topeka.

Poll-book.

1 C. C. K. Garvey	32 Wm. F. Kelso
2 J. K. Goodin	33 Augustus Barnerd
3 F. L. Crane	34 Edward Segraves
4 Milton C. Dickey	35 Alexander Moore
5 James Chadwick	36 Abner Doane
6 Dean Chadwick	37 A. M. Lewis
7 Christopher C. Leonard	38 C. G. Howard
8 C. L. Terrel	39 Thomas G. Thornton
9 Moses Dudley	40 C. A. Sexton
10 D. H. Horne	41 T. Jones
11 James J. Goodrich	42 L. W. Horne
12 J. Orcott	43 S. E. Martin
13 D. W. Clearland	44 F. W. Giles
14 Wm. Scales	45 Gilford Dudley
15 Timothy McIntire	46 John R. Lewis
16 H. P. Walters	47 George Davis
17 John T. Lawrence	48 George F. Boyd
18 James G. Bunker	49 Darius Minium
19 D. R. Sailor	50 S. C. Harriot
20 James McNamee	51 Ephraim Harriot
21 R. L. Mitchell	52 E. Banter
22 T. R. Foster	53 James L. Stevens
23 James C. Miller	54 John H. Doty
24 Humphrey Coburn	55 J. D. Clarkson
25 J. F. Cummings	56 James Taggett
26 Harris Stratton	57 W. H. Waymoth
27 Billey T. Wetmore	58 Wm. R. Bogs
28 Daniel Sayer	59 H. C. Coral
28 Israel Zimmerman	60 Lewis C. Wilmuth
30 Charles Creitz	61 Ambrose W. Ford
31 Loving Farnsworth	62 Paul Sheppard

63 A. G. Adams	100 Jonas E. Greenwood
64 G. W. Hathaway	101 M. K. Smith
65 John Richey	102 Philip Briggs
66 W. Miles	103 Horatio Fletcher
67 Luther H. Wentworth	104 Abel F. Hartwell
68 H. H. Wentworth	105 Charles L. Wilbur
69 Gabriel Wright	106 David Smith
70 James Disney	107 A. G. Thompson
71 Moses Hubbard	108 Charles Morely
72 P. R. Hubbard	109 Wm. F. Creitz
73 Manie Campdoras	110 G. H. Wood
74 Charles Landon	111 Geo. B. French
75 Claud Chamboniere	112 Elnathan Trask
76 Eugene Dumez	113 Sanford Henry
77 Estienne Vollotte	114 Leroy S. Brown
78 C. N. Grey	115 Thos. H. Taylor
79 P. O. Conner	116 John Long
80 A. S. Walter	117 J. C. Gordon
81 E. S. Parker	118 Augustus Roberts
82 Jesse Stowe	119 O. C. Nickols
83 O. H. Drinkwater	120 Charles Farnsworth
84 Samuel Hall	121 H. G. Young
85 Leonard Wendell	122 Nelson Young
86 Wm. W. Ross	123 John Martin
87 E. Plumber	124 James Cowles
88 A. F. Whiting	125 R. M. Lace
89 Wm. E. Bowker	126 Francis Davis
90 Jean Francois Carloz	127 J. B. Chase
91 S. N. Frazier	128 Ozias Judd
92 Amos Trott	129 John Spear
93 M. C. Martin	130 H. B. Burgess
94 Wm. P. Thompson	131 Wm. Pickerel
95 David H. Moore	132 H. B. Cowles
96 Wm. W. Henderson	133 Theorene Tucker
97 Wm. Gibbons	134 Richard Gustine
98 James Pearce	135 L. G. Clearland
99 Enoch Chase	136 J. A. Wirt.

The printed certificate properly filled, and signed as follows:

F. L. CRANE,
M. C. DICKEY,
J. T. CUMMINGS, } *Judges.*

Attest: JOSEPH C. MILLER, }
HENRY P. WATERS, } *Clerks.*

THIRD DISTRICT—Topeka.

Tally-list.

Constitution	135
No constitution	

General banking law—Yes.....	125
General banking law—No.....	9
Exclusion of negroes and mulattoes—Yes... ..	69
Exclusion of negroes and mulattoes—No.....	64

The above tallies are properly arranged under the table. (See form.)
The certificate is properly filled with the above numbers, and signed
as follows:

	F. L. CRANE,	} Judges.
	M. C. DICKEY,	
	J. T. CUMMINGS,	
Attest: JOSEPH C. MILLER,	} Clerks.	
HENRY P. WATERS,		

THIRD DISTRICT—*Tecumseh.*

Poll-book.

1 John Morris	19 Wm. H. Morris
2 Charles Jordan	20 Thomas J. Jordan
3 H. W. Curtis	21 Hiram Shields
4 M. M. Robinson	22 Jahial Tyler
5 Orlando Moffitt	23 John F. Freeland
6 Jos. H. Weaver	24 John M. Ferson
7 Jas. M. Dawson	25 Andeson Delop
8 B. F. Dawson	26 Osborn Naylor
9 Saml. Updegraph	27 Jehu Frank
10 C. W. Moffit	28 Francis Grapmuck
11 Jas. Hoppins	29 Wm. Norton
12 D. Updegraph	30 Geo. Osborn
13 Jos. K. Bartleson	31 Saml. Spruill
14 Geo. C. McCormac	32 M. J. Mitchel
15 J. W. Stephenson	33 Jer. Nicum
16 E. R. Moffit	34 Wm. A. Hamer
17 Nathaniel L. Williams	35 Huston Ingram.
18 Josiah Cox	

Certificate correct, and signed as follows:

	CHARLES JORDAN,	} Judges.
	JOHN MORRIS,	
	M. J. MITCHEL,	
Attest: M. M. ROBINSON,	} Clerks.	
H. W. CURTIS,		

Tally-list.

Constitution	35
No constitution	

General banking law—Yes.....	23
General banking law—No.....	11
Exclusion of negroes and mulattoes—Yes	35
Exclusion of negroes and mulattoes—No.....	

Certificate correctly filled, and signed as follows :

CHARLES JORDAN, }
JOHN MORRIS, } *Judges.*
M. J. MITCHEL, }

Attest: H. W. CURTIS, }
M. M. ROBINSON, } *Clerks.*

THIRD DISTRICT—*Brownsville.*

Poll-book.

1 James M. Hammond	13 Wm. A. Simerwell
2 Geo. W. Pigott	14 James Turner
3 Thos. J. Anderson	15 Wm. Dailey
4 D. W. Harold	16 John Baxter
5 Robert Turner	17 D. T. Hamend
6 Robert Todd	18 G. S. Holt
7 J. D. Wood	19 C. B. Lykins
8 J. W. Brown	20 Samuel H. Hill
9 L. T. Cook	21 James Gillpatrick
10 W. F. Johnston	22 Wm. Turner
11 Samuel Cavender	23 James Maurhan
12 F. E. Hood	24 Daniel Turner.

Certificate correctly filled, and signed as follows :

J. D. WOOD, }
L. T. COOK, } *Judges.*
J. W. BROWN, }

Attest: WM. F. JOHNSTON, }
ROBT. TODD, } *Clerks.*

Tally-list.

Constitution	24
No constitution	
General banking law—Yes.....	22
General banking law—No.....	2
Exclusion of negroes and mulattoes—Yes	22
Exclusion of negroes and mulattoes—No.....	2

Certificate correctly filled, and signed as follows :

J. D. WOOD, }
J. W. BROWN, } *Judges.*
L. T. COOK, }

Attest: W. F. JOHNSTON, }
ROBERT TODD, } *Clerks.*

THIRD DISTRICT—*Washington.**Poll-book.*

1 A. J. Custard	22 Milbourn Shirley
2 Peter Eppison	23 W. C. McCaul
3 Ephraim Banning	24 Robt. Hudson
4 Eli Allen	25 J. J. Aklin
5 Geo. S. Ramsay	26 Norman Smith
6 Solomon G. Riddle	27 Wm. Rowles
7 Caleb Antrim	28 Wm. R. Frost
8 Edmund Brewer	29 J. G. Stringer
9 Jesse M. Roberts	30 Jas. Molton
10 Jas. K. Lawrence	31 T. V. Rush
11 Danl. K. Lawrence	32 R. W. Custard
12 Wm. C. Jones	33 Merrit Thrilkeld
13 Wm. Riley	34 Alex. Wells
14 W. L. Roberts	35 Jno. D. Hopkins
15 Geo. W. Gilmore	36 Thos. D. Kemp
16 W. A. Cardwell	37 Wm. Harper
17 Amos Hicks	38 Wm. Lamb
18 Geo. W. Duncan	39 A. H. Lamb
19 Benj. Moore	40 F. Cook
20 Geo. W. Zinn	41 W. Carter
21 H. F. Huffer	42 Barnet Fagle.

Certificate correctly filled, and signed as follows :

WM. RILEY,
ELI ALLEN,
CALEB ANTREM, } *Judges.*

Attest : GEO. S. RAMSAY, }
S. J. ACKLIN, } *Clerks.*

Tally-list.

Constitution	42
General banking law—Yes.....	41
General banking law—No.....	1
Exclusion of negroes and mulattoes—Yes.....	42

Certificate correctly filled, and signed as follows :

ELI ALLEN,
WILLIAM RILEY, } *Judges.*
CALEB ANTREM, }

Attest : G. S. RAMSAY, }
S. J. ACKLIN, } *Clerks.*

FOURTH DISTRICT—*Prairie City Precinct.**Poll-list.*

1 Charles Legge	37 W. J. Buchannon
2 Charles Clark	38 A. O. Carpenter
3 J. P. Moore	39 Elkana Fimons
4 Franklin Barnes .	40 R. Mayfield
5 Wm. B. Harris	41 W. M. Mewhinny, sr.
6 Jacob Clark	42 John Wilson
7 A. R. Banks	43 George Havens
8 C. H. Carpenter	44 N. D. Sprague
9 Archibald Harris	45 Champion Mayfield
10 A. B. Webster	46 Levi Doty
11 W. S. Ewart	47 W. M. E. Crum
12 John F. Jarans	48 Perry Fuller
13 A. J. Miller	49 W. M. Moore
14 Samuel McManus	50 Thomas McCowan
15 E. H. Baysinger	51 Samuel J. Shore
16 W. B. Foster	52 Amos Hannah
17 Thos. Shirley	53 Samuel Mewhinney
18 David Hendricks	54 Eleazur Hill
19 Mansfield Carter	55 Hiram McAllister
20 A. F. Powell	56 T. E. Curtis
21 A. Clearland	57 J. W. M. Shore
22 Charles Keiser	58 W. M. B. Sowers
23 J. G. Moore	59 Aaron Moore
24 Peter Baysinger	60 J. P. Neal
25 S. H. Moore	61 John S. Edie
26 George Powers	62 A. B. Gilliland
27 Constant Burtell	63 W. M. Graham
28 Wm. David	64 J. D. Hope
29 Celestin Garder	65 W. L. Jones
30 J. C. Hughes	66 J. S. Scott
31 M. M. Westfall	67 John Graham
32 Henry H. Wiggins	68 Geo. W. E. Griffith
33 P. P. Case	69 J. E. Carpenter
34 M. M. D. Lysner	70 Michael Blake
35 Nathaniel Parker	71 John P. Lehr
36 W. M. Mewhinny, jr.	72 Wiley E. Jones.

The printed certificate properly filled, (see form,) and signed as follows:

	AMOS HANNAH,	} <i>Judges.</i>
	WILLIAM MOORE,	
	PERRY FULLER,	
Attest: THOS. McCOWAN,	} <i>Clerks.</i>	
SAM'L THEODORE SHORE,		

Tally-list.

Constitution	72
No constitution	
General banking law—Yes.....	39
General banking law—No	33
Exclusion of negroes and mulattoes—Yes.....	69
Exclusion of negroes and mulattoes—No	3

Printed form correct, (see form,) and signed as follows :

AMOS HANNAH,
WILLIAM MOORE, } *Judges.*
PERRY FULLER,

Attest: THOS. MCGOWAN, } *Clerks.*
SAM'L THEODORE SHORE,

FIFTH DISTRICT.—*Osawatimie.*

Poll-book.

1 Crawford Oliver	31 Silas Wheat
2 Benj. Woodbury	32 Francis Brenan
3 Chas. A. Foster	33 William Chestnut
4 William Collin	34 John C. Loman
5 N. J. Roscoe	35 William Quick
6 Nathan McVey	36 Asa S. White
7 James H. Howson	37 Joel Goodenick
8 Henry Alderman	38 Levi Fenner
9 Horace Norton	39 Charles Cranston
10 Harrison Updegraff	40 J. L. Littlejohn
11 Amos Alderman	41 John Yelton
12 Jeremiah Harrison	42 Richard Mendenhall
13 Barber Darrach	43 William Cater
14 Wm. W. Updegraff	44 John P. Glenn
15 James Stots	45 William Brownhall
16 Samuel Geer	46 Henry Carson
17 James J. Holbrook	47 Thomas Jackson
18 Samuel Mendenhall	48 David Mendenhall
19 C. F. Lake	49 Doctor Morris
20 S. L. Adair	50 John Brown
21 S. M. Merritt	51 Martin Chissmore
22 Caleb Shearar	52 George Ferris
23 Samuel H. Howser	53 J. R. Everett
24 Thomas Roberts	54 J. B. Higgins
25 Amos Finch	55 Milon Fairchild
26 Albe Sanborn	56 James Hughes
27 Andrew Bruce	57 Thomas J. Hammond
28 J. Carr	58 Jackson Hendricks
29 William Cain	59 Noah Barker.
30 James Fuller	

Certificate correct, and signed as follows :

B. WOODBURY,
DANIEL W. COLLIES, } *Judges.*
N. J. ROSCOE,

Attest : WM. W. UPDEGRAFF, } *Clerks.*
CRAWFORD OLIVER,

Tally-list.

Constitution	56
No constitution.....	1
General banking law—Yes.....	33
General banking law—No.....	20
Exclusion of negroes and mulattoes—Yes.....	38
Exclusion of negroes and mulattoes—No.....	17

Certificate correctly filled, and signed as follows :

B. WOODBURY,
DANIEL W. COLLIES, } *Judges.*
N. J. ROSCOE,

Attest : WM. W. UPDEGRAFF, } *Clerks.*
CRAWFORD OLIVER,

FIFTH DISTRICT—*Stanton.*

Poll-book.

1 Isaiah Nichols	20 H. B. Standiford
2 W. B. Nichols	21 A. H. Standiford
3 J. B. Bingham	22 W. G. Bundy
4 P. V. McMillan	23 George Thompson
5 Benjamin Goodrich	24 Orran Williams
6 J. H. West	25 B. H. Reed
7 J. T. Benning	26 Thomas M. Horton
8 O. R. Nichols	27 Jesse W. Wilson
9 William Stephenson	28 John R. Kirkland
10 Jesse B. Way	29 Robert Reed
11 C. P. Kirkland	30 William Kellogg
12 John Lay	31 James Milliken
13 Jesse Lay	32 William H. Kinkaid
14 James R. Kinkaid	33 S. L. Morse
15 James D. Kinkaid	34 W. G. Nichols
16 A. J. Talbott	35 Isaac Woollard
17 M. D. Lane	36 Joseph Bundy
18 David H. Bundy	37 Israel Christie.
19 John Standiford	

Certificate properly filled, and signed as follows:

ISAAC WOOLLARD, }
W. G. NICHOLS, } *Judges.*
S. L. MORSE,

Attest: ISRAEL CHRISTIE, }
JOSIAH BUNDY, } *Clerks.*

Tally-list.

Constitution	32
General banking law—Yes.....	4
General banking law—No.....	33
Exclusion of negroes and mulattoes—Yes.....	32
Exclusion of negroes and mulattoes—No.....	5

The certificate is correctly filled, and signed as follows:

ISAAC WOOLLARD, }
WM. G. NICHOLS, } *Judges.*
S. L. MORSE,

Attest: ISRAEL CHRISTIE, }
JOSIAH BUNDY, } *Clerks.*

FIFTH DISTRICT—*Little Sugar Creek.*

Poll-book.

1 W. W. Harris	23 W. A. Cavan
2 J. D. Stockton	24 H. J. Dingus
3 John Spears	25 Solomon Mason
4 D. B. Perry	26 G. W. Halte
5 S. R. Floyd	27 G. W. Sharpe
6 Thomas K. Hooper	28 A. M. B. D. E. S. Ripley
7 H. C. Donaghe	29 M. H. Davis
8 David Reese	30 J. W. Duren
9 Harris Vance	31 Abram Medlin
10 John Baslowick	32 James Osbern
11 James E. Dunlap	33 John Barrick
12 Stephen Mehaffe	34 James Montgomery
13 Joshua Russel	35 Samuel Medlin
14 Salmon Bennet	36 Charles Barnes
15 John Handy Shel	37 Solomon Adams
16 Enoch Estep	38 John Medlin
17 H. M. Gibbs	39 Levi Ward
18 E. Barnes	40 John Brant
19 Thomas Hargus	41 Allen Sellers
20 J. P. Fox	42 Alfred Ward
21 William Murray	43 Samuel Nickel
22 Joseph B. Runals	44 J. R. Miller

45 F. A. Haleter	53 P. Y. Glover
46 George Morris	54 Benjamin Burch
47 Elvin Ford	55 David Burch
48 A. F. Fasset	56 John C. Jemison
49 Fred. Crawse	57 William Park
50 William Morris	58 Temple Wayne
51 J. M. Morris	59 T. F. Dark
52 Green Warthy	50 Samuel Camock.

Certificate properly filled, and signed as follows:

J. D. STOCKTON, }
D. REESE, } *Judges.*
H. C. DONAGHE, }

Attest. W. S. TURNER, }
S. R. FLOYD, } *Clerks.*

Tally-list.

Constitution.....	42
No constitution.....	18
General banking law—Yes.....	33
General banking law—No.....	13
Exclusion of negroes and mulattoes—Yes.....	42
Exclusion of negroes and mulattoes—No.....	2

Certificate correctly filled, and signed as follows:

J. D. STOCKTON, }
D. REESE, } *Judges.*
H. C. DONAGHE, }

Attest: S. B. FLOYD, }
W. S. TURNER, } *Clerks.*

FIFTH DISTRICT—*Pottawatomie.*

Poll-book.

1 Henry H. Williams	15 Wm. J. Whitney
2 Simeon B. Morse	16 Wm. L. Frankenger
3 William Partridge	17 John Blanden
4 Wm. N. Woods	18 Solomon Blanden
5 Ephraim Reynolds	19 Daniel Harrison
6 John Blunt	20 Wakeman Partridge
7 Frederick Brown	21 Wesley H. Pinell
8 Willis T. Ayres	22 J. W. Greer
9 Samuel Anderson	23 Benj. L. Cockrun
10 Dennis West	24 Joseph H. Morcy
11 E. G. Blunt	25 John Grant
12 David Baldwin	26 James Townsly
13 Darius Frankenger	27 Allen M. Smith
14 James B. Tenbrook	28 John McDaniel

29 Dewitt C. Davenport	37 C. E. Dewey
30 James Sutton	38 M. M. Minkler
31 Samuel Mac	39 Benjamin Dan
32 Jason Brown	40 R. W. Sturgeon
33 Henry Thompson	41 David D. Davis
34 John Brown, jr.	42 Alexander Purdee
35 Owen Brown	43 Joseph James.
36 Anson Hunt	

Certificate correctly filled, and signed as follows:

FRED. BROWN,
S. B. MORSE,
WM. PARTRIDGE, } *Judges.*

Attest: HENRY H. WILLIAMS, }
EPHRAIM REYNOLDS, } *Clerks.*

Tally-list.

Constitution	39
No constitution	3
General banking law—Yes	21
General banking law—No	19
Exclusion of negroes and mulattoes—Yes	25
Exclusion of negroes and mulattoes—No	18

Certificate correctly filled, and signed as follows:

FRED. BROWN,
S. B. MORSE.
WM. PARTRIDGE, } *Judges.*

Attest: HENRY H. WILLIAMS, }
EPHRAIM REYNOLDS, } *Clerks.*

FIFTH DISTRICT—*Neosho.*

Poll-book.

1 Hiram Carr	7 Thomas Bowen
2 James Branam	8 Benjamin Whitaker
3 Jesse V. Williams	9 Simpson De Spain
4 Matthew Fenimore	10 Morgan Dix
5 Hiram Hoover	11 Nathaniel Danton
6 Hardin McMahon	12 John H. Bowen.

Certificate correctly filled, and signed as follows:

HIRAM HOOVER,
THOMAS BOWEN,
MORGAN DIX, } *Judges.*

Attest: HARD. MCMAHON, }
MATTHEW FENIMORE, } *Clerks.*

Tally-list.

Constitution	12
No constitution	
General banking law—Yes.....	6
General banking law—No.....	6
Exclusion of negroes and mulattoes—Yes.....	12
Exclusion of negroes and mulattoes—No.....	

Certificate correctly filled, and signed as follows :

HIRAM HOOVER,
THOMAS BOWEN, } *Judges.*
MORGAN DIX,

Attest : HARD. McMAHON, }
MATTHEW FENIMORE, } *Clerks.*

FIFTH DISTRICT—*Big Sugar Creek.**Poll-book.*

1 Samuel Farrar	12 Allen Stewart
2 George Wykle	13 Jonah Daniel
3 William Dudley	14 John Dance
4 James E. Wadkins	15 William M. Smith
5 Zachariah Rowe	16 C. M. McDaniel
6 Green Stricklin	17 W. B. Robinson
7 James M. Arthur	18 Ingram Lusk
8 John Wykle	19 F. H. Graham
9 M. Walk	20 John Robinson
10 Silas Young	21 George H. Alexander.
11 William Dyer	

Certificate correctly filled, and signed as follows :

W. B. ROBINSON,
WILLIAM DYER, } *Judges.*
WILLIAM M. SMITH,

Attest : JAMES M. ARTHUR, }
C. M. McDANIEL, } *Clerks.*

Tally-list.

Constitution	18
No constitution	2
General banking law—Yes.....	5
General banking law—No.....	16

Exclusion of negroes and mulattoes—Yes	20
Exclusion of negroes and mulattoes—No	

Certificate correctly filled, and signed as follows :

WILLIAM B. ROBINSON, }
WILLIAM DYER, } *Judges.*
WILLIAM M. SMITH, }

Attest: JAMES M. ARTHUR, }
C. M. McDANIEL, } *Clerks.*

FIFTH DISTRICT—*Little Osage.*

Poll-list.

1 R. T. Forbes	17 Wm. Hinton
2 Wm. Patrick	18 Sam'l Fleaner
3 E. Painter	19 James Curry
4 Etney Ecart	20 Thomas Osborn
5 James H. Mars	21 Daniel Henderson
6 George Wakefield	22 Alexander Howard
7 Wm. Wickham	23 W. W. Spratte
8 John Sanders	24 Paton Williams
9 Daniel Francis	25 Aey Williams
10 Isaac Sanders	26 E. Kepley
11 Julius Wilhite	27 Henry Miller
12 John A. Wakefield	28 Amos Stewart
13 Wm. Williams	29 Sampson Farris
14 Wm. Curry	30 Thomas Smith
15 Burton Kiwison	31 Thomas K. Hooper.
16 Charles Bates	

Certificate correct, and signed as follows :

ROBERT T. FORBES, }
THOMAS OSBORN, } *Judges.*

Attest: DANIEL HENDERSON, }
WM. CURRY, } *Clerks.*

Tally-list.

Constitution	21
No constitution.....	7
General banking law—Yes.....	16
General banking law—No.....	12
Exclusion of negroes and mulattoes—Yes.....	23
Exclusion of negroes and mulattoes—No.....	7

Certificate correct, except that 11 is inserted instead of 12, as voting against the general banking law.

Signed, as follows:

THOMAS OSBORN,
ROBERT T. FORBES, } *Judges.*
THOMAS CURRY,

Attest: DANIEL HENDERSON, } *Clerks.*
WILLIAM T. CURRY,

SEVENTH DISTRICT—*Titus.*

Poll-book.

1 Henry Todd	23 Ami Smith
2 W. N. Harer	24 S. A. Allison
3 Thos. White	25 Abison Floore
4 J. B. Titus	26 G. A. Drew
5 John Drew	27 John Smith
6 S. M. Penin	28 C. W. Fisk
7 Abram Leonard	29 P. C. Shyler
8 Adam R. Bothel	30 L. D. Joy
9 Wm. Lord	31 L. J. Miller
10 Thomas Hill	32 H. Polly
11 Henry Stanley	33 W. W. Fish
12 Alex. Millison	34 John Crowford
13 Aron Dow	35 L. Fish
14 Jasper Goodwill	36 N. G. Densmore
15 N. Shyler	37 R. Miller
16 O. H. Sheldon	38 David Hoover
17 C. F. Richards	39 G. Bratton
18 Hiram Mills	40 G. Hairy
19 Geo. M. Barnes	41 J. Street
20 William Drew	42 John Miller
21 O. B. Harvey	43 Thos. Kussell
22 Joseph Ramsey	44 F. Upson.

The printed form properly filled, (see form,) and signed as follows:

J. B. TITUS,
JOHN DREW, } *Judges.*
E. M. PERRIN,

Attest: LEWIS D. JOY,
ABRAHAM LEONARD, } *Clerks.*

Tally-list.

Constitution	39
No constitution	5
H. Rep. 200—47*	

General banking law—Yes	32
General banking law—No.....	7
Exclusion of negroes and mulattoes—Yes	25
Exclusion of negroes and mulattoes—No	15

The printed form is correct, (see form,) and signed as follows :

J. B. TITUS,
JOHN DREW, } *Judges.*
E. M. PERRIN, }

Attest: LEWIS D. JOY,
ABRAHAM LEONARD, } *Clerks.*

SEVENTH DISTRICT—*Juniatta.*

Poll-book.

1 Newell Teafon	17 Louis Sanford
2 Lawrence Shattock	18 Cyrus Bishop
3 Wm. E. Goodwin	19 Asah G. Allen
4 Samuel D. Houston	20 John Pipher
5 Ambrose Todd	21 Chas. W. Bechee
6 Amery Hunting	22 Chas. Fay
7 Chas. E. Blood	23 Joseph Dennison
8 Wm. E. Parkersen	24 Chas. Barnes
9 Isaac T. Goodnow	25 John S. Hoffecker
10 John Gilt	26 Stephen B. Barnes
11 Simon Perry	27 Joseph Stewart
12 John Sanford	28 Peter Nirhart
13 Henry Nealy	29 John McIntyre
14 Edward Hunting	30 Wm. S. Arnold
15 Geo. H. Moore	31 Joseph Browning.
16 Christian Gatz	

The printed certificate properly filled, (see form,) except the precinct is called Big Blue in the poll-list, and Juniatta in the certificate, and signed as follows :

PETER NEYHART,
J. STEWART, } *Judges.*
ISAAC T. GOODNOW, }

Attest: WM. S. ARNOLD, } *Clerks.*
C. E. BLOOD, }

Tally-list.

Constitution	30
No constitution	
General banking law—Yes.....	23

General banking law—No.....	6
Exclusion of negroes and mulattoes—Yes	10
Exclusion of negroes and mulattoes—No	19

The printed form is correct, (see form,) and signed as follows:

PETER NEYHART,
J. STEWART,
ISAAC T. GOODNOW, } *Judges.*

Attest: WM. S. ARNOLD, }
C. E. BLOOD, } *Clerks.*

EIGHTH DISTRICT.—Ohio City Precinct.

Poll-book.

1 A. G. Barrett	12 Lowry Trombly
2 Rees Furbay	13 Franklin Reed
3 William Saunders	14 William Harmon
4 Lewis Furbay	15 A. J. Ockerman
5 Henry Hallenberg	16 W. H. Brine
6 D. M. Levitt	17 Henry Brockmyre
7 A. M. Bell	18 Loren Jessen
8 Jas. A. Smith	19 Henry Brockmyre, jr.
9 Thos. Warren	20 Gulian Shangraed
10 Samuel Langdon	21 Joseph Breno.
11 John Herron	

The printed form is properly filled, (see form,) and signed as follows:

HENRY HOLLENBERG, }
D. M. LEVITT, } *Judges.*
WILLIAM SAUNDERS, }

Attest: A. G. BARRETT, }
LEWIS FURBAY, } *Clerks.*

Tally-list.

Constitution	21
No constitution	
General banking law—Yes	16
General banking law—No.....	5
Exclusion of negroes and mulattoes—Yes.....	20
Exclusion of negroes and mulattoes—No.....	1

The printed certificate is correct, (see form,) and signed as follows:

HENRY HOLLENBERG, }
D. M. LEVITT, } *Judges.*
WM. SAUNDERS, }

Attest: A. G. BARRETT, }
LEWIS FURBAY, } *Clerks.*

EIGHTH DISTRICT—*Wabaunsee Precinct.**Poll-book.*

1 Andrew B. Marshall	11 W. J. Fodder
2 J. M. Bisbey	12 H. P. Leonard
3 J. H. Nesbit	13 J. H. Pillsburg
4 E. R. McLundy	14 Calvin H. Javin
5 Oscar Meachand	15 Henry Bisbey
6 H. W. Taborr	16 Henry Jones
7 H. J. Brown	17 D. L. Bates
8 Bar Sharai	18 L. W. Brown
9 Francis Abott	19 Hermon Keys.
10 Peter Sharai	

The printed form is properly filled, (see form,) and signed as follows :

E. R. McCURDY,
J. M. BISBEY,
ANDREW B. MARSHALL, } *Judges.*

Attest : J. H. NESBITT,
HORACE W. TABOR, } *Clerks.*

Tally-list.

Constitution	19
No constitution.....	
General banking law—Yes	17
General banking law—No.....	1
Exclusion of negroes and mulattoes—Yes.....	7
Exclusion of negroes and mulattoes—No.....	11

The printed certificate is correct, (see form,) and signed as follows :

E. R. McCURDY,
J. M. BISBEY,
ANDREW B. MARSHALL, } *Judges.*

Attest : J. H. NESBITT,
HORACE W. TABOR, } *Clerks.*

EIGHTH DISTRICT—*St. Mary's Precinct.**Poll-book.*

1 Geo. Wuartla	8 William Yunklin
2 J. D. Adams	9 E. Davis
3 Moses Yunklin	10 O. B. Dean
4 John King	11 Charles Dean
5 John Leonard	12 B. C. Dean
6 F. Shaeffer	13 Jas. P. Wilson
7 August Beekeer	14 O. Bayeron.

The printed form is properly filled, (see form,) and signed as follows :

J. E. D. AVIS,
OSCAR B. DEAN, } *Judges.*
CHARLES DEAN,

Attest: J. E. D. AVIS, } *Clerks.*
O. B. DEAN,

Tally-list.

Constitution	19
No constitution	
General banking law—Yes	
General banking law—No	14
Exclusion of negroes and mulattoes—Yes	19
Exclusion of negroes and mulattoes—No	

The printed certificate is correct, (see form,) and signed as follows :

CHARLES DEAN,
OSCAR B. DEAN, } *Judges.*
J. E. D. AVIS,

Attest: O. B. DEAN, } *Clerks.*
J. E. D. AVIS,

EIGHTH DISTRICT—*Mill Creek Precinct.*

Poll-book.

1 Karl Morasch	11 Michael Metzger
2 Johann Suhr	12 Karl Bath
3 Freidrich Palensge	13 Johann Lemke
4 Herman Miller	14 Bernhard Hansacok
5 Bernhard Schutter	15 Christian Prath
6 Christoph Schwanke	16 Joseph Weise
7 Franz Schmidt	17 Wilhelm Ganther
8 Johann Achlz	18 Joseph Thoes
9 Pitt Thoes	19 Jacob Terris
10 Peter Pfeifer	20 Vint Ludwig Henrick.

The printed form is properly filled, (see form,) and signed as follows :

JACOB TERRIS,
JOSEPH THOES, } *Judges.*
JOSEPH WEISE,

Attest: WILHELM GANDERT, } *Clerks.*
V. LUDWIG HENRICKS,

Tally-list.

Constitution	20
No constitution	

General banking law—Yes.....	
General banking law—No.....	20
Exclusion of negroes and mulattoes—Yes.....	20
Exclusion of negroes and mulattoes—No.....	

The printed form is correct, (see form,) and signed as follows :

JACOB TERRISS, }
JOSEPH THOES, } *Judges.*
JOSEPH WEISE, }

Attest: WILHELM GANDERT, }
Z. GEN'D HENRICKS, } *Clerks.*

NINTH DISTRICT—*Grasshopper Falls.*

Poll-book.

1 Chalmess Scott	28 Nathan C. Hart
2 Martin Vanderburgh	29 W. H. Goodwin
3 W. Hasley	30 Geo. H. Cane
4 James Griffiths	31 Henry Morris
5 Daniel Remkles	32 John Sills
6 Eph. Loman	33 John Ernst
7 Perry Moss	34 Benedict Myer
8 Thomas H. Elliott	35 William Cat
9 John Elliott	36 A. Crowbarger
10 Sidney Scanland	37 John Conway
11 Daniel Willey	38 Benjamin Wiger
12 John H. Clark	39 John Short
13 S. H. Dunn	40 Samuel S. Smith
14 Wm. Gregsbey	41 Wm. Bales
15 George S. Hillger	42 John W. Owens
16 Atkinson Martin	43 Henry Bales
17 John W. Dowell	44 Henry Zenn
18 Alexander Hughan	45 J. K. Williams
19 Zefuton Bugbee	46 Isaac Cody
20 Alpha Summons	47 John Roberts
21 Samuel Brown	48 Jacob Wiher
22 John Hughan	49 John Roderick
23 Martin Price	50 Peter Roderick
24 Fred. Christman	51 Peter Taylor
25 G. T. Donaldson	52 John Wigner
26 E. Mendenhall	53 Henry Wiher
27 Jesse B. Taylor	54 Anthony Weishaar.

The printed form is properly filled, (see form,) and signed as follows :

J. W. CLARK, }
S. H. DUNN, } *Judges.*
WM. GREGSBEY, }

Attest: GEORGE S. HILLGER, }
ATKINSON MARTIN, } *Clerks.*

Tally-list.

Constitution	54
No constitution	
General banking law—Yes.....	19
General banking law—No.....	34
Exclusion of negroes and mulattoes—Yes.....	50
Exclusion of negroes and mulattoes—No.....	3

The printed certificate is correct, (see form,) and signed as follows:

J. W. CLARK,
S. H. DUNN,
WM. GREGSBEY, } *Judges.*

Attest: GEORGE S. HILLGER, }
ATKINSON MARTIN, } *Clerks.*

NINTH DISTRICT—*Pawnee Precinct.**Poll-book.*

1 Robert Klotz	24 Johnson McFire
2 Jacob Hill	25 Samuel Jones
3 Laritt Lincoln	26 George McFarland
4 Jeremiah Youester	27 J. S. Williams
5 S. B. White	28 Wm. L. Shane
6 Lemuel Napp	29 H. H. McKey
7 Silus Klotz	30 John Drennan
8 Isaac H. Dodar	31 J. W. Colvill
9 Reinbold Whitehair	32 Samuel Parr
10 S. P. Allon	33 John C. Nolan
11 James W. Hulse	34 Thomas Marshall
12 George W. Switzer	35 M. H. Beardsley
13 Adolph Kurtze	36 John Halbrook
14 Lemon Kouth	37 William Harris
15 Wm. Miller	38 Eugene Cunningham
16 James Warren	39 John O'Neil
17 T. K. Mills	40 Charles Gibson
18 J. R. Wills	41 James Tully
19 N. H. Moore	42 James Cirba
20 J. C. Coulton	43 Joseph Nighta
21 Harris Smith	44 Alexander Dean
22 George T. Brown	45 William Forest.
23 Jacob Schoonmaker	

The printed form is properly filled, (see form,) and signed as follows:

SAMUEL KNAPP,
ISAAC H. LODGE, } *Judges.*
S. B. WHITE,

Attest: SILUS KLOTZ, }
ALEXANDER DOAN, } *Clerks.*

Tally-list.

Constitution	45
No constitution.....	
General banking law—Yes.....	15
General banking law—No.....	29
Exclusion of negroes and mulattoes—Yes.....	40
Exclusion of negroes and mulattoes—No.....	5
The printed certificate is correct, (see form,) and signed as follows:	

LEMUEL KNAPP, }
 ISAAC LODGE, } *Judges.*
 S. B. WHITE,

Attest: SILUS KLOTZ, }
 ALEXANDER DEAN, } *Clerks.*

TENTH DISTRICT—*Burr Oak.**Poll-book.*

1 Valentine Gunselman	13 Henry Wilson
2 J. L. Higin	14 J. S. Hall
3 James Leveel	15 T. H. McCullock
4 Thomas Devolt	16 Thomas Bell
5 J. P. Harper	17 L. D. Lockin
6 Henry Rapp	18 Dan Morrow
7 George Schuyler	19 Wm. C. Gilliam
8 F. Fritzer	20 A. Shultz
9 C. A. Hale	21 E. L. Gilliam
10 P. Kleppell	22 Charles Hack
11 Wm. B. Sharp	23 Daniel Bowman.
12 B. H. Brock	

Certificate correctly filled, and signed as follows:

B. H. BROCK, }
 HENRY WILSON, } *Judges.*
 T. H. McCULLOCK,

Attest: WM. B. SHARP, }
 ISAAC S. HAIL, } *Clerks.*

Tally-list.

Constitution	23
No constitution	
General banking law—Yes.....	7
General banking law—No.....	16
Exclusion of negroes and mulattoes—Yes.....	22
Exclusion of negroes and mulattoes—No.....	1

The certificate correctly filled, and signed as follows:

B. H. BROCK, }
 HENRY WILSON, } *Judges.*
 T. H. McCULLOCK,

Attest: WM. B. SHARP, }
 ISAAC S. HAIL, } *Clerks.*

TENTH DISTRICT—*Doniphan.**Poll-book.*

1 J. H. Whilker	12 J. W. Collins
2 W. Lancaster	13 B. Brady
3 T. Vest	14 J. Standerf
4 A. Dunn	15 J. McNema
5 E. Hamilton	16 G. A. Cutler
6 P. J. Collins	17 N. Alexander
7 B. G. Cady	18 B. R. Wilmot
8 R. Rocket	19 J. Landes
9 T. Cook	20 L. Oak
10 W. H. Wells	21 William Popges
11 A. Vingart	22 W. Irvin

Certificate correctly filled, and signed as follows :

B. G. CODY,
JOHN McNAMA, } *Judges.*

Attest : T. J. COLLINS, *Clerk.*

Tally-list.

Constitution.....	22
No constitution.....	
General banking law—Yes.....	5
General banking law—No	14
Exclusion of negroes and mulattoes—Yes.....	21
Exclusion of negroes and mulattoes—No.....	

Certificate correctly filled, and signed as follows :

B. G. CODY,
JOHN McNEMA, } *Judges.*

Attest : T. J. COLLINS, *Clerk.*

TENTH DISTRICT—*Jesse Pardon's, Pilot Grove.**Poll-book.*

1 W. C. Foster	7 William Smitch
2 Thomas Briggam	8 J. M. Bridges
3 E. B. Osburn	9 W. R. Bridges
4 Jesse Padon	10 Philip Weis
5 John Smitch	11 Henry Smitch
6 Wm. Purket	12 E. Painter.

Certificate correctly filled, and signed as follows :

JESSE PADON,
JOHN SMITCH,
WM. PURKET, } *Judges.*

Attest : E. PAINTER,
WM. R. BRIDGES, } *Clerks.*

Tally-list.

Constitution	12
No constitution	
General banking law—Yes	1
General banking law—No	11
Exclusion of negroes and mulattoes—Yes	12
Exclusion of negroes and mulattoes—No	

Certificate correctly filled, and signed as follows :

WILLIAM PURKET, }
JOHN SMITH, } *Judges.*
JESSE PADON, }

Attest: E. PAINTER, }
WILLIAM R. BRIDGES, } *Clerks.*

ELEVENTH DISTRICT—*Ocean Precinct.**Poll-book.*

1 James Limerick	15 G. W. Cobb
2 Isaac Hasen	16 Joseph Trueax
3 Robert A. Conelly	17 T. B. Elliot
4 Caleb May	18 Jesse W. Elliot
5 John Helwig	19 Wm. H. Stewart
6 Wm. Crosby	20 Luther Knox
7 N. Connelly	21 Daniel Campbell
8 S. J. H. Snyder	22 D. F. Graham
9 Arch. Elliot	23 Wm. Landrum
10 Milo Carlton	24 E. Landrum
11 Henry W. Campbell	25 Jos. Dougherty
12 Lewis Minch	26 Thos. C. Duncan
13 John Graves	27 Edward Wood
14 Lack Morris	28 G. G. Ash.

The printed form is properly filled, (see form,) and signed as follows :

A. ELLIOTT, }
MILES CARLTON, } *Judges.*
S. J. H. SNYDER, }

Attest: NEWMAN CONNELLY, }
WM. CROSBY, } *Clerks.*

Tally-list.

Constitution	28
No constitution	
General banking law—Yes	8
General banking law—No	20

Exclusion of negroes and mulattoes—Yes..... 28
 Exclusion of negroes and mulattoes—No.....

The printed certificate is correct, (see form,) and signed as follows :

A. ELLIOTT,
 MILES CARLTON, } *Judges.*
 S. J. H. SNYDER, }

Attest: NEWMAN CONNELLY, } *Clerks.*
 WM. CROSBY, }

ELEVENTH SENATORIAL DISTRICT—*Kickapoo Precinct.*

Poll-book.

1 James L. Sayle	11 Edward Minetu
2 Jackson B. Crane	12 Joshua Morgan
3 Wm. H. Nichols	13 D. E. Jones
4 H. B. Crale	14 H. C. Jones
5 Jonathan Robinson	15 Jno. Miller
6 C. R. Zimmermann	16 Jno. Strain
7 Stanford M. Daniel	17 Philip Baker
8 Jno. A. Becker	18 J. F. Hathaway
9 Henry C. Sutton	18 B. F. Edwards
10 Martin Kleim	20 Riston Wiley.

The printed form is properly filled, (see form,) and signed as follows:

H. B. GALE,
 JONATHAN ROBINSON, } *Judges.*
 E. R. ZIMMERMANN, }

Attest: WM. W. NICHOLS, } *Clerks.*
 B. F. EDWARDS, }

Tally-list.

Constitution	20
No constitution.....	
General banking law—Yes.....	7
General banking law—No.....	13
Exclusion of negroes and mulattoes—Yes.....	16
Exclusion of negroes and mulattoes—No.....	4

The printed certificate is correct, (see form,) and signed as follows:

H. B. GALE,
 JONATHAN ROBINSON, } *Judges.*
 E. R. ZIMMERMANN, }

Attest: B. F. EDWARDS, } *Clerks.*
 WM. H. NICHOLS, }

THIRTEENTH DISTRICT—*Pleasant Hill Precinct.**Poll-book.*

1 Andrew K. Branes	25 Francis Clawell
2 Nathan Adams	26 William Nickles
3 Lewis Hoover	27 David Ransier
4 Rufus W. Kin	28 Henry Ransier
5 Solomon Hicks	29 Joseph Nichols
6 G. B. Hall	30 J. R. Smith
7 William Hicks	31 Stephen Ogan
8 Richard S. Banhum	32 John Renoit
9 W. C. Quitt	33 Franklin Etigah
10 John S. Quitt	34 Thadeus Owes
11 Nathan Griffith	35 B. F. Bernett
12 William A. Wade	36 T. L. Pooler
13 John H. Brown	37 Philip Cessler
14 Aaron Coock	38 Nathan Cory
15 Lewis Rennalte	39 Stephen J. Elliot
16 Bryan Stewart	40 Joseph Dunn
17 Jacob W. Brown	41 Alexander McDonald, jr.
18 James A. Stevenson	42 Alexander McDonald, sr.
19 Jacob Fisher	43 James Dempsey
20 William Dactt	44 Mathew Robinson
21 Henry Hoover	45 Ashbury Bissler
22 William C. Walker	46 E. Banter
23 Jesse F. Collins	47 Leonard Busbee.
24 John Hanny	

The printed forms properly filled, (see forms,) and signed as follows:

G. B. HALL,
LEWIS HOOVER, } *Judges.*
NATHAN ADAMS,

Attest: ANDREW J. FRANCIS, }
RUFUS W. RIN, } *Clerks.*

Tally-list.

Constitution.....	47
No constitution.....	
General banking law—Yes.....	37
General banking law—No.....	6
Exclusion of negroes and mulattoes—Yes.....	45
Exclusion of negroes and mulattoes—No.....	1

The printed certificate is correct, (see form,) and signed as follows:

E. B. HALL,
LEWIS HOOVER, } *Judges.*
NATHAN ADAMS,

Attest: ANDREW FRANCIS, }
RUFUS W. RIN, } *Clerks.*

THIRTEENTH DISTRICT—*Whitfield Precinct.**Poll-book.*

1 Hiram House
2 J. F. Turner
3 J. B. Chapman
4 Thomas Turner

5 William Burr
6 Robert McNawn
7 Frederick Swige.

The printed form is properly filled, (see form,) and signed as follows:

THOMAS JANNER, }
HIRAM HOUSE, } *Judges.*
J. F. JANNER, }

Attest: T. B. CHAPMAN, }
ROBERT MCNOWN, } *Clerks.*

Tally-list.

Constitution.....	7
No constitution.....	
General banking law—Yes.....	3
General banking law—No.....	4
Exclusion of negroes and mulattoes—Yes.....	6
Exclusion of negroes and mulattoes—No.....	

The printed certificate is correct, (see form,) and signed as follows:

THOMAS JANNER, }
HIRAM HOUSE, } *Judges.*
J. F. JANNER, }

Attest: ROBERT MCNOWN, }
J. B. CHAPMAN, } *Clerks.*

THIRTEENTH DISTRICT—*Indianola Precinct.**Poll-book.*

1 S. R. Mossteller
2 John Damewood
3 Samuel Cummins,
4 Joseph Kapp
5 Joseph M. Cole
6 David Menley
7 Charles Columbo
8 Richard Murphy
9 Thomas Lamar
10 J. M. Fouts

11 Timothy Dounie
12 A. K. Winegardner
13 J. H. Damewood
14 Thomas Ferguson
15 Daniel Harlow
16 Daniel Downey
17 G. D. Fidling
18 Joshua Murphy
19 Jonathan Nilchel.

The printed form is properly filled, (see form,) and signed as follows :

A. H. WINEGARDNER,
JONATHAN NILCHEL, } *Judges.*
THOMAS LAMAR,

Attest : J. H. DAMEWOOD, } *Clerks.*
JOSEPH M. COLE,

Tally-list.

Constitution.....	19
No constitution	
General banking law—Yes.....	
General banking law—No.....	18
Exclusion of negroes and mulattoes—Yes.....	19
Exclusion of negroes and mulattoes—No.....	

The printed certificate is correct, (see form,) and signed as follows :

A. H. WINEGARDNER,
JONATHAN NILCHEL, } *Judges.*
THOMAS LAMAR,

Attest : J. H. DAMEWOOD, } *Clerks.*
JOSEPH M. COLE,

FOURTEENTH DISTRICT—*St. Joseph's Bottom.*

Poll-book.

1 Benjamin Harding	9 W. C. Graham
2 Geo. H. Bryan	10 Thos. Stewart
3 A. H. Jamison	11 H. Smallwood
4 James Campbell	12 John T. Braidy
5 C. W. Stewart	13 Nelson Abby
6 Alfred Langden	14 Wm. Newman,
7 Florian Leber	15 W. H. Harrison.
8 Ugene Vogal	

Certificate correctly filled, and signed as follows :

BENJAMIN HARDING, } *Judges.*
A. A. JAMISON,
GEORGE H. BRYAN,

Attest : BENJ. HARDING, } *Clerks.*
A. A. JAMISON,

Tally-list.

Constitution	15
No constitution	

General banking law—Yes.....	4
General banking law—No.....	9
Exclusion of negroes and mulattoes—Yes	14
Exclusion of negroes and mulattoes—No	1

Certificate correctly filled, and signed as follows :

BENJ. HARDING, }
A. A. JAMISON, } *Judges.*
G. H. BRYAN, }

Attest : BENJ. HARDING, }
A. A. JAMISON, } *Clerks.*

FOURTEENTH DISTRICT—*Wolf River.*

Tally-list.

Constitution	24
No constitution	
General banking law—Yes	11
General banking law—No	12
Exclusion of negroes and mulattoes—Yes	18
Exclusion of negroes and mulattoes—No	6

Certificate correctly filled, and signed as follows :

E. P. RICHARDSON, }
J. M. IRWIN, } *Judges.*
P. J. JOHNSON, }

Attest : WM. DOOLITTLE, }
A. J. MINER, } *Clerks.*

No poll-book.

FIFTEENTH DISTRICT—*Mount Pleasant.*

Poll-book.

1 Tinsly Potter	18 Wm. Martin
2 Joseph Potter	19 James Martin
3 John C. Ridgway	20 Moses Greenough
4 Charles S. Foster	21 Josiah Martin
5 George Porter	22 Hiram Quilt
6 James Foster	23 Hezekiah Dehart
7 C. S. Anderson	24 Wm. J. Mayfield
8 George Blodgett	25 John H. Blizzard
9 George W. Harrison	26 James McNema
10 Andrew W. Peebles	27 John Rutledge
11 John Harman	28 Levis Cox
12 Wm. W. Peebles	29 David Bunle
13 Thomas S. Hensley	30 C. A. Harleigh
14 James S. Iddings	31 W. J. Oliphant
15 H. S. Speck	32 Jacob Eiler
16 William Martin	33 Joel Martin.
17 Alexander Cox	

Certificate correctly filled, and signed as follows :

JOSEPH POTTER, }
JOHN RIDGWAY, } *Judges.*

Attest : CHARLES S. FOSTER, *Clerk.*

Tally-list.

Constitution.....	32
No constitution.....	
General banking law—Yes.....	32
General banking law—No.....	1
Exclusion of negroes and mulattoes—Yes.....	30
Exclusion of negroes and mulattoes—No.....	2

Certificate correct, except that 32 are set down as voting for the exclusion of negroes and mulattoes, instead of 30.

JOSEPH POTTER, }
JOHN RIDGWAY, } *Judges.*

Attest : CHARLES S. FOSTER, *Clerk.*

SIXTEENTH DISTRICT—*Easton.*

Poll-book.

1 F. G. Braiden	25 H. Ovel
2 C. J. Myers	26 Stephen Sparks
3 Wm. J. Pyle	27 R. E. Courtney
4 Josiah Hix	28 G. P. Minney
5 Josiah Dark	29 Joseph Elliot
6 Levi White	30 S. A. Dunn
7 S. Hull	31 George Swaim
8 R. Bean	32 F. Browning
9 S. Dark	33 J. W. Hendricks
10 D. P. Bethurim	34 D. McMichael
11 Isaac Vancamp	35 D. Comstock
12 Jackson Goble	36 James Comstock
13 Wm. Johnson	37 B. F. Hix
14 W. P. Goble	38 M. A. Tubbs
15 D. D. Baker	39 Moses Hix
16 D. Swim	40 Enos Numan
17 A. E. Hendricks	41 T. H. Gabert
18 B. B. Myers	42 William Butt
19 A. Bower	43 A. Phillips
20 D. Murphy	44 B. Sparks
21 George Goble	45 Caswell Rose
22 James Benfrow	46 Thomas Gwartney
23 A. Sparks	47 Jacob Lockmiller.
24 J. M. Parkman	

48 N. W. Taylor
 49 J. H. Kincaid
 50 Wm. Sparks
 51 M. Sparks
 52 Daniel Shipley
 53 Wm. Rose
 54 Samuel Horton
 55 Wm. M. Bathurst
 56 D. B. Nixon
 57 Joshua Hall
 58 John Sparks
 59 D. McNish
 60 Jacob Sarven

61 M. H. Langley
 26 F. A. Minard
 63 P. R. Orr
 64 Wm. Renwick
 65 David Rose
 66 John Wilfley
 67 J. J. Crook
 68 William Bubb
 69 S. S. Hamlet
 70 W. R. Tubbs
 71 J. W. Hendricks
 72 W. B. Pristow
 73 James Hutchings

Certificate correctly filled, and signed as follows:

WM. PENNOCK, }
 P. R. ORR, } *Judges.*
 T. A. MINARD, }

Attest: WM. PENNOCK, }
 T. A. MINARD, } *Clerks.*

Tally-list.

Constitution.....	71
No constitution	2
General banking law—Yes.....	53
General banking law—No.....	19
Exclusion of negroes and mulattoes—Yes	71
Exclusion of negroes and mulattoes—No	00

Certificate correctly filled, and signed as follows:

THOMAS A. MINARD, }
 WM. PENNOCK, } *Judges.*
 P. R. ORR, }

Attest: THOMAS A. MINARD, }
 WILLIAM PENNOCK, } *Clerks.*

SEVENTEENTH DISTRICT—*Mission Precinct.*

Poll-list.

1 Jeremiah Hadley
 2 Ira Hadley
 3 Henry Wilson
 4 Charles Johnson

5 John Lockport
 6 John H. Osborn
 7 George Osborn

(This is wrongly designated the 4th district. The following informal certificate embraces the poll and tally-list.)

H. Rep. 200—48*

We, the legally qualified judges of the 17th representative district (should be senatorial) of the Territory of Kansas, do certify, that the following report is a full and correct return of the election held in district aforesaid, on the above date, for the purpose of adopting or rejecting a "constitution" for the State of Kansas, and for electing a delegate to represent the district aforesaid in the free-State convention to be held at Lawrence, on Saturday, December 22, and approving or disapproving "a general banking law system," and approving or disapproving of the exclusion of free negroes and mulattoes. There were cast—

For constitution	7
For general banking law.....	3
For exclusion of free negroes and mulattoes.....	1
Delegate to state convention.....	6
For exclusion of free negroes and mulattoes.....	1
Against exclusion of free negroes and mulattoes.....	2
Majority against exclusion of free negroes and mulattoes.....	1
Whole number of votes cast.....	7

JEREMIAH A. HADLEY, }
HENRY WILSON, } *Judges.*
JOHN LOCKHART, }

Attest: JOHN LOCKHART, *Clerk.*

Poll-book of voters who have cast their ballots at an election held on the 15th day of December, A. D. 1855, at ——— precinct, in district No. —, in Kansas Territory, on the adoption or rejection of a constitution for the State of Kansas, and upon the general banking law clause and black-law proposition.

No.	Names of voters.	No.	Names of voters.

We, the undersigned, judges and clerks of election, hereby certify, upon our oaths, that the whole number of votes cast at an election held at ——— precinct, in ——— district of Kansas Territory, on the 15th day of December, A. D. 1855, for the adoption or rejection of a constitution; the separate article in relation to a general banking law, framed by the constitutional convention which assembled at Topeka on the 23d day of October, 1855, for the State of Kansas; and the independent proposition in relation to instructing the first general assembly on the subject of negroes and mulattoes, to be in number —

And we further certify, that the said voters were *bona fide* citizens of the United States, above the age of twenty-one years, and actual residents of the Territory of Kansas for thirty days immediately preceding this election, and still continue the same as their home and residence.

_____,
_____,
_____, } *Judges.*

Attest: _____, } *Clerks.*

Tally-list of votes cast at an election held on the 15th day of December, A. D. 1855, _____ precinct, in district No. —, in Kansas Territory, on the adoption or rejection of a constitution for the State of Kansas, and upon the general banking clause and black law-proposition.

Constitution.	No constitution.	Gen'l banking law—Yes.	Gen'l banking law—No.	Exclusion of negroes and mulattoes—Yes.	Exclusion of negroes and mulattoes—No.

We, the undersigned, judges and clerks of election, hereby certify, upon our oaths, that the whole number of votes cast at an election held at _____ precinct, in _____ district, in Kansas Territory, on the 15th day of December, A. D. 1855, for the adoption or rejection of a constitution framed by the constitutional convention which assembled at Topeka on the 23d day of October, A. D. 1855, for the State of Kansas, to be in number as follows:

Constitution.....
No constitution.....

We further certify, that the whole number of votes cast at said election, approving or disapproving an article in relation to a general banking law, submitted as a distinct proposition, to become a part of said constitution, if adopted by a majority of the people, to be in number as follows:

General banking law—Yes.....
General banking law—No.....

We further certify, that the whole number of votes cast at said election, approving or disapproving the passage of stringent laws by the general assembly for the exclusion of free negroes and mulattoes from

the State of Kansas, the result of said vote to operate as instructions to the first general assembly, to be in number as follows :

Exclusion of negroes and mulattoes—Yes..... —
 Exclusion of negroes and mulattoes—No..... —

And we further certify, that the said voters were *bona fide* citizens of the United States, above the age of twenty-one years, and actual residents of the Territory of Kansas for thirty days immediately preceding this election, and still continuing the same as their home and residence.

_____,
 _____, } *Judges.*
 _____,

Attest : _____, } *Clerks.*
 _____,

ELECTION OF JANUARY 15, 1856.

FIRST DISTRICT—*Blanton.**Poll-book.*

1 S C Smith	40 B Hitchcock
2 John E Stewart	41 L A Hammond
3 Samuel Merrill	42 Edmund Carles
4 J Elliott	43 Levi W Plumb
5 Ira Brown	44 Jonathan Kenedy
6 H E Babcock	45 Hiram Dunbar
7 Joshua Hughes	46 W V Kennedy
8 Charles Dickson	47 William Nettleton
9 Elisha F. Mayo	48 William Blegman
10 L J Eberhard	49 P S Hutcherson
11 W S Bishop	50 T B Smith
12 Collins Holliway	51 P T Hupp
13 J Salathiel	52 James Lane
14 Joseph Everhard	53 Paul Jones
15 James G Saffer	54 James Waley
16 J A Coffey	55 A W Maberly
17 W D Jennerson	56 A W Maberly
18 Daniel F Merris	57 H F Saunders
19 John Morehead	58 Jonathan Ogden
20 Seth Rodibaugh	59 F P Vaughn
21 L H Rowley	60 Thomas Hopkins
22 Harrison Nichols	61 Joseph Curles
23 William Carles	62 Thomas Breeze
24 Josiah Hutcheson	63 E Smith
25 R P Moore	64 W Atwater
26 O P Kennedy	65 L A Prather
27 E W Bennett	66 John G Smith
28 T H Kennedy	67 Isaac Shaper
29 J K Goodin	68 John R Griffith
30 William Whitlock	69 James B Abbott
31 Ezekiel Duzar	70 Simon Gibson
32 Lewis Staggers	71 R D Horton
33 G W Berry	72 William Livermore
34 L M Huddleston	73 Josiah Houghton
35 J M Jones	74 Alex Mears
36 Clark Teft	75 William Mears
37 Abram Still	76 John Carter
38 J H Gleason	77 N B Blanton
39 J W Jones	78 Peter Pridy

Certificate correctly filled, and signed as follows :

JOHN E. STEWART,	} <i>Judges.</i>
PHILIP T. HUPP,	
P. S. HUTCHESON,	

WILLIAM S. BISHOP,	} <i>Clerks.</i>
WILLIAM LIVERMORE,	

Tally-list.

Governor—Charles Robinson	-	-	-	-	-	52
“ William Y Roberts	-	-	-	-	-	25
Lieutenant Governor—William Y Roberts	-	-	-	-	-	42
“ M J Parrott	-	-	-	-	-	33
Secretary of State—P C Schuyler	-	-	-	-	-	55
“ C K Holliday	-	-	-	-	-	23
Auditor—G A Cutler	-	-	-	-	-	54
“ W R Griffith	-	-	-	-	-	23
Treasurer—J H Wakefield	-	-	-	-	-	55
“ E C K Garvey	-	-	-	-	-	17
Attorney General—H Miles Moore	-	-	-	-	-	78
Supreme Judge—S N Latta	-	-	-	-	-	55
“ M F Conway	-	-	-	-	-	55
“ M Hunt	-	-	-	-	-	55
“ G W Smith	-	-	-	-	-	23
“ S W Johnston	-	-	-	-	-	23
“ J A Wakefield	-	-	-	-	-	23
Reporter Supreme Court—E M Thurston	-	-	-	-	-	55
“ S B McKensie	-	-	-	-	-	23
Clerk Supreme Court—S B Floyd	-	-	-	-	-	77
Public Printer—John Speer	-	-	-	-	-	54
“ R G Elliott	-	-	-	-	-	24
Representative to Congress—M W Delehay	-	-	-	-	-	77
State Senator—L Allen	-	-	-	-	-	74
“ G P Lowry	-	-	-	-	-	6
“ J Curtis	-	-	-	-	-	57
“ B W Miller	-	-	-	-	-	53
“ S N Wood	-	-	-	-	-	21
“ W Hutcheson	-	-	-	-	-	16
State Representative—Mr Leggett	-	-	-	-	-	2
“ L A Prather	-	-	-	-	-	16
“ John Hutcheson	-	-	-	-	-	57
“ James Blood	-	-	-	-	-	55
“ Erastus D Ladd	-	-	-	-	-	18
“ Joel Grover	-	-	-	-	-	19
“ W J R Blackman	-	-	-	-	-	17
“ J B Abbott	-	-	-	-	-	35
“ H F Sanders	-	-	-	-	-	34
“ R S Bassett	-	-	-	-	-	18
“ Robert McFarland	-	-	-	-	-	21
“ S N Hartwell	-	-	-	-	-	55
“ A H Mallory	-	-	-	-	-	3
“ G Jenkins	-	-	-	-	-	3
“ Columbus Hornsby	-	-	-	-	-	59
“ E B Purdham	-	-	-	-	-	56
“ James McGhee	-	-	-	-	-	34
“ N B Blanten	-	-	-	-	-	44
“ J R Kennedy	-	-	-	-	-	43
“ Josiah Miller	-	-	-	-	-	22

Certificate correct, except that W. R. Griffith is stated to be 24 instead of 23 votes for auditor.

JOHN E. STEWART, }
 PHILIP T. HUPP, } *Judges.*
 P. S. HUTCHESON, }

WILLIAM LIVERMORE, }
 WILLIAM S. BISHOP, } *Clerks.*

FIRST DISTRICT—*Franklin precinct.*

Poll-book.

1 T G Murray	37 Norman Chambers
2 W Bridges	38 Fleming Bridges
3 J McFarlane	39 A M Whedon
4 T McFarlan	40 W J Kennedy
5 B H Nelson	41 John Stroup
6 Moses Flora	42 William Stroup
7 J L Smith	43 E A Landon
8 D Scannell	44 James Anderson
9 James McGhee	45 T M Arterbery
10 D Burton	46 J W Hague
11 John Lawhead	47 Samuel Crane
12 H L Enos	48 Lewis Anderson
13 Jos. Shuler	49 William S Hull
14 J D Harrington	50 Edward T Webb
15 T W Waller	51 John Vanwinkle
16 Homer Hays	52 W G Piper
17 John Piatt	53 Robert Shields
18 T Anderson	54 Isam C Taylor
19 E B Purdam	55 Herbert Sterling
20 Hiram Crane	56 Armstrong Lawhead
21 Thomas Seaton	57 E B Johnston
22 R H Pierce	58 J H Crocket
23 S T Harmon	59 John Anderson
24 C N Day	60 V F White
25 Thomas Still	61 Thomas Brindly
26 Lucas Fish	62 Joseph Young
27 Green Phillis	63 J W Hoping
28 A C Smith	64 J Sellers
29 E Wallace	65 D Meacham
30 B R Whitlowe	66 H C Bigbee
31 Lucas Carlen	67 J J McGhee
32 David Wallace	68 T S McGee
33 J Wolf	69 Adam McGhee
34 S M Salters	70 Michael Glenn
35 C M Wallace	71 Milligan Wallace
36 Robert McFarland	72 James Covell

73 R J Crane	77 Samuel Sutherland
74 William Robins	78 Simon Ritter
75 T W Painter	79 William Wallace
76 William Bridges	

Certificate correctly filled, and signed as follows :

H. L. ENOS,
DAVID BURTON, } *Judges.*
T. W. WILBER,

DANIEL SCANNELL, } *Clerks.*
J. D. HARRINGTON,

Tally-list.

Governor—W Y Roberts	-	-	-	-	58
“ Charles Robinson	-	-	-	-	8
Lieutenant Governor—M J Parrott	-	-	-	-	59
“ “ W Y Roberts	-	-	-	-	5
Secretary of State—C K Holliday	-	-	-	-	58
“ “ P C Schuyler	-	-	-	-	8
Auditor—T R Griffith	-	-	-	-	58
“ D A Cutler	-	-	-	-	8
Treasurer—E C K Garvey	-	-	-	-	58
“ J A Wakefield	-	-	-	-	8
Attorney General—H Miles Moore	-	-	-	-	66
Supreme Judge—G W Smith	-	-	-	-	57
“ S N Iatta	-	-	-	-	8
“ S W Johnston	-	-	-	-	57
“ M F Conway	-	-	-	-	8
“ J A Wakefield	-	-	-	-	48
“ M Hunt	-	-	-	-	8
Reporter Supreme Court—S B McKenzie	-	-	-	-	58
“ “ E M Thurston	-	-	-	-	8
Clerk Supreme Court—S B Floyd	-	-	-	-	66
Public Printer—R G Elliott	-	-	-	-	58
“ John Spear	-	-	-	-	8
Representative to Congress—M W Delehay	-	-	-	-	66
State Senator—B W Miller	-	-	-	-	63
“ G P Lowry	-	-	-	-	2
“ Lyman Allen	-	-	-	-	65
“ William Hutchinson	-	-	-	-	6
“ John Curtis	-	-	-	-	72
“ S N Wood	-	-	-	-	5
State Representative—E B Purdam	-	-	-	-	69
“ James Blood	-	-	-	-	7
“ James McGhee	-	-	-	-	47
“ S A Prather	-	-	-	-	37
“ N B Blanton	-	-	-	-	29
“ James Legate	-	-	-	-	3

State Representative—	J H Kennedy	-	-	-	58
"	Robert McFarland	-	-	-	6
"	Josiah Miller	-	-	-	61
"	Joel Grover	-	-	-	5
"	John Hutchinson	-	-	-	56
"	W E R Blackman	-	-	-	5
"	Columbus Hornsby	-	-	-	61
"	J B Abbott	-	-	-	7
"	S N Hartwell	-	-	-	47
"	William Yates	-	-	-	7
"	H F Sanders	-	-	-	7
"	E D Ladd	-	-	-	6
"	R S Basset	-	-	-	5
"	Job Vanwinkle	-	-	-	1
"	S J Livingston	-	-	-	1

Certificate correctly filled, and signed as follows:

H. L. ENOS,
DAVID BURTON, } *Judges.*
T. W. WALLER, }

DANIEL SCANNELL, } *Clerks.*
J. D. HERRINGTON, }

FIRST DISTRICT—*Palmyra precinct.*

Poll-book.

1 A F Still	14 Jacob Canhill
2 Thomas Chapman	15 Wilson Lyons
3 William Barricklow	16 John Brown
4 Daniel Barricklow	17 Silas Dexter
5 John Roe	18 R H Pearson
6 William Roe	19 Leonard Crean
7 William Wistfall	20 Hugh Pettingall
8 Joseph Barricklow	21 Charles Jordan
9 Samuel Gill	22 Solomon Tappan
10 William Griffin	23 Enoch Howland
11 David Eldridge	24 G W Fitz
12 Samuel Irvin	25 Wm L G Soule
13 Jacob Bronston	

Certificate correctly filled, and signed as follows:

WM. BARRICKLOW,
WILLIAM WESTFALL, } *Judges.*
SILAS DEXTER, }

JOHN ROE, } *Clerks.*
WILLIAM ROE, }

Tally-list.

Governor—Charles Robinson	-	-	-	-	25
Lieutenant Governor—W Y Roberts	-	-	-	-	25
Secretary of State—P C Schuyler	-	-	-	-	25
Auditor—G A Cutler	-	-	-	-	25
Treasurer—J A Wakefield	-	-	-	-	25
Attorney General—H Miles Moore	-	-	-	-	25
Supreme Judge—S N Latta	-	-	-	-	25
“ M F Conway	-	-	-	-	25
“ M Hunt	-	-	-	-	25
Reporter Supreme Court—E M Thurston	-	-	-	-	25
Clerk of Supreme Court—S B Floyd	-	-	-	-	25
Public Printer—John Spear	-	-	-	-	25
Representative to Congress—Mark M Delehay	-	-	-	-	25
State Senator—Lyman Allen	-	-	-	-	23
“ W M Hutchinson	-	-	-	-	23
“ Samuel N Wood	-	-	-	-	22
State Representative—James Blood	-	-	-	-	23
“ Erastus D Ladd	-	-	-	-	6
“ Joel Grover	-	-	-	-	23
“ W J R Blackman	-	-	-	-	23
“ Z B Abbott	-	-	-	-	23
“ R S Basset	-	-	-	-	23
“ Robert McFarlane	-	-	-	-	23
“ H F Saunders	-	-	-	-	17
“ G W Fitzs	-	-	-	-	5
“ Columbus Thornsby	-	-	-	-	17
“ C Jordan	-	-	-	-	1

The certificate is correctly filled, and signed as follows:

WM. BARRICKLOW,
WILLIAM WESTFALL, } *Judges.*
SILAS DEXTER,

WM. ROE, } *Clerks.*
JOHN ROE,

FIRST DISTRICT—*Lawrence.*

Poll-book.

1 Lyman Allen	8 M Hunt
2 A D Searl	9 J Cracklin
3 L P Coleman	10 H Hurd
4 W L Bridges	11 J W Ackley
5 Geo F Earl	12 G W Hunt
6 L K Dennis	13 J P Filer
7 N Garwood	14 A Cutler

- | | |
|---------------------|--------------------|
| 15 A H Vince | 66 Wm Parks |
| 16 J H Firman | 67 Alex Moore |
| 17 C W Harley | 68 Daniel Lowe |
| 18 J E Rice | 69 John G Ricker |
| 19 H N Bent | 70 Philo Harper |
| 20 Geo H Crocker | 71 J W Cochran |
| 21 Frank Hunt | 72 Allen Haus |
| 22 J S Emery | 73 E D Whipple |
| 23 N D Harland | 74 N P Noles |
| 24 G W Feitzler | 75 R H Waterman |
| 25 Daniel Carey | 76 Daniel McDaniel |
| 26 Edward Clark | 77 Martin Young |
| 27 Edward Jones | 78 Alfred Justice |
| 28 James Frazer | 79 G B Prentiss |
| 29 Albert Brown | 80 W L Anderson |
| 30 J H Johnson | 81 E S Leonard |
| 31 A H Mallory | 82 J F Tabor |
| 32 E Bond | 83 F C Stephens |
| 33 T L Whitney | 84 T Stevens |
| 34 C F Day | 85 Francis Killman |
| 35 Howard York | 86 H Y Jamison |
| 36 J Boyer | 87 W B Hackett |
| 37 N Snyder | 88 G W Hutchison |
| 38 H S McClelland | 89 James Jamison |
| 39 A K Burditt | 90 J B Conway |
| 40 P J Warden | 91 S F Tappan |
| 41 John Crocker | 92 H C Niel |
| 42 M F Conway | 93 John T Harding |
| 43 R H Kimball | 94 G Anderson |
| 44 W S R Blackman | 95 N L Bryant |
| 45 E A Deland | 96 Wm Wahicle |
| 46 Milan Grant | 97 J J Alverson |
| 47 J Bigelow | 98 W S Taylor |
| 48 E D Ladd | 99 E Nute |
| 49 G W Smith | 100 E B Whitman |
| 50 T Sumner | 101 Baker Morrow |
| 51 Charles Sanford | 102 Wm Hawks |
| 52 L S Bacon | 103 O A Hanscomb |
| 53 E Chapman | 104 Fred Kimball |
| 54 James Blood | 105 B F Stone |
| 55 W N Baldwin | 106 Joseph Shields |
| 56 Leverett Haskill | 107 John Pike |
| 57 J A Dull | 108 Abner Eldred |
| 58 A Bonam | 109 A W Bevel |
| 59 P Carter | 110 P B Hanson |
| 60 H A Campbell | 111 James Smith |
| 61 J W Woodard | 112 Stephen Ogden |
| 62 J Wheeler | 113 R G Elliott |
| 63 R M Wilkinson | 114 L Osborn |
| 64 David Brown | 115 A H Latram |
| 65 B C Livingston | 116 F Freeman |

- | | |
|------------------------|---------------------|
| 117 E A Pierce | 168 J A Pike |
| 118 J W Junkins | 169 C H Thrower |
| 119 H J Delany | 170 B L Richardson |
| 120 G W Jarvis | 171 L G White |
| 121 Homer Moore | 172 J Hamer |
| 122 R Wiles | 173 H P Lee |
| 123 O Wilmarth | 174 Z Hooncough |
| 124 J V Neal | 175 Wm Mathews |
| 125 Jonas Colburn | 176 Henry Atherton |
| 126 Jacob Miller | 177 — Isley |
| 127 Wm Reinback | 178 David Evans |
| 128 J W Morey | 179 R T Hooten |
| 129 Allanson Harvey | 180 G P Venalt |
| 130 Geo Hurd | 181 D B Allen |
| 131 John Bradbury | 182 Robert Allen |
| 132 Geo Warren | 183 L M Cox |
| 133 Reuben Craig | 184 J Dennis |
| 134 Richard Gray | 185 Joshua Smith |
| 135 H J Howard | 186 L T Colwell |
| 136 C M Adams | 187 J B Smith |
| 137 Charles Longfellow | 188 Wm Henson |
| 138 James France | 189 A Baker |
| 139 C W Babcock | 190 J A Gutzgon |
| 140 E P Fitch | 191 John Mack |
| 141 C A Wright | 192 P Zimmerman |
| 142 William Hutchinson | 193 C Hall |
| 143 Samuel Kimball | 194 S J Pratt |
| 144 William Hare | 195 J French |
| 145 Charles Garrett | 196 C Clear |
| 146 James M Fuller | 197 T Clemmons |
| 147 William A Gentry | 198 J H Green |
| 148 George Harris | 199 Benj Savage |
| 149 M Bloucert | 200 G W Brown |
| 150 William Tackett | 201 C E Lenhart |
| 151 Andrew Neal | 202 A Whitcomb |
| 152 R Neal | 203 B C Golliday |
| 153 Moses Neal | 204 T Jones |
| 154 Joseph Clem | 205 Alonzo Piat |
| 155 Benjamin Whitloe | 206 James Knowl |
| 156 J W Stephens | 207 Henry Stevens |
| 157 Moses Taylor | 208 J C Henmon |
| 158 Charles Robinson | 209 David Purington |
| 159 Jos H Lane | 210 J H Harrison |
| 160 H M Canfield | 211 Geo Mathews |
| 161 J G Fuller | 212 Levi Gates |
| 162 Caleb S Pratt | 213 John Baldwin |
| 163 B W Woodard | 214 Henry Smith |
| 164 John Smith | 215 R Banks |
| 165 John F Wilson | 216 W T Ayers |
| 166 Lewis Howell | 217 J Stiller |
| 167 Turner Sampson | 218 C Schoolcraft |

219 L Miller	270 J J Keeny
220 Cornelius Pitover	271 F O Towles
221 Robert Irvin	272 T J Hacker
222 K C Dicks	273 T J Ferrill
223 Otis Potter	274 J E Van Allen
224 S S Snyder	275 William Jourdan
225 John Gingery	276 J Davison
226 J P Davidson	277 Thomas Eldridge
227 Jas S Cowan	278 P Lancaster
228 Wm Kitcheman	279 E P Sparks
229 Clarke Stearnes	280 J D Heald
230 Adam Johns	281 Adolph Row
231 Henry Green	282 George Churchill
232 Thomas Brook	283 John L Crane
233 R L Bassett	284 Lewis Stearnes
234 Thos Wells	285 C C Heyd
235 J E Strout	286 H P Simpson
236 E W Cambell	287 G N Simpson
237 James M Still	288 A Davidson
238 J Strout	289 C H Lovejoy
239 J D Barns	290 C W Pearsell
240 Wm Hughes	291 S Marshall
241 W D Atwood	292 John Ross
242 J D Sands	293 S C Harrington
243 Thos Garvey	294 S S Willis
244 C B Elkridge	295 James Smith
245 Jas Redpath	296 R Miller
246 E F Warren	297 James Lovejoy
247 F A Alluzzez	298 Marcus Gwin
248 Josh Thaxter	299 Q J Pettibone
249 Franklin Haskill	300 L J Pickett
250 Morris Hartland	301 Ransom Crockett
251 Wm Yates	302 L C Folles
252 Thomas Barton	303 Elmore Allen
253 S W Pardy	304 Ja'nes Watson
254 Stilman Andrews	305 H G Holbrook
255 J B Purdy	306 C H Ides
256 C M Williams	307 T A Finley
257 Stephen Logue	308 Jack Crockett
258 T Skinner	309 J B Scott
259 T H White	310 Jesse Whitson
260 H S Blair	311 Philip Cook
261 E W Gillis	312 G S Scader
262 J C Bevel	313 Edward Winslow
263 Frank Murdock	314 L Michell
264 H B Sissons	315 J Rowly
265 Wm Randolph	316 Moses Scott
266 John Armstrong	317 F D Dragg
267 R Patton	318 Josiah Miller
268 Anson Davison	319 E D Wright
269 John Wise	320 Enos Macelroy

- | | |
|-----------------------|----------------------|
| 321 Levi Ford | 372 E K Wright |
| 322 John Day | 373 William Evans |
| 323 Edward Emerson | 374 Samuel Everett |
| 324 Charles Jenkins | 375 C A Adams |
| 325 T B Ackley | 376 John Sanders |
| 326 D E Maxson | 377 Leroy Swift |
| 327 L P Kennedy | 378 James Broadfoot |
| 328 E P Stiles | 379 T B Brown |
| 329 William B Hornsby | 380 David Black |
| 330 James Clarke | 381 Joseph Merchant |
| 331 F A Bayly | 382 E C Lewis |
| 332 Geius Coleman | 383 Thomas Leverett |
| 333 Peter Butler | 384 H A Hancock |
| 334 C P Newcomb | 385 Samuel Hood |
| 335 M H Spittle | 386 Benjamin Twigget |
| 336 S Wiley | 387 G P Lowrey |
| 337 A D Tood | 388 J H Wilder |
| 338 Charles Foy | 389 C A Pease |
| 339 Richard Knight | 390 H Ward |
| 340 A Vanhorn | 391 R Flanders |
| 341 S Tinneys | 392 B N Conger |
| 342 C Woodward | 393 C L Mandel |
| 343 F Fuller | 394 M R Clough |
| 344 Benjamin Lawing | 395 James Locke |
| 345 B W Miller | 396 Newman Allen |
| 346 H P Catline | 397 Oscar Burroughs |
| 347 J J Hussey | 398 T J Cosselein |
| 348 C P Gordon | 399 P L Tetter |
| 349 K O Osborn | 400 S Fry |
| 350 E A Coleman | 401 Joel Graver |
| 351 F Savage | 402 A Berry |
| 352 S N Hartwell | 403 J L Speer |
| 353 John Speer | 404 N S Stones |
| 354 P G Mansfield | 405 Samuel Bryson |
| 355 F B Beaver | 406 B F Read |
| 356 E L Long | 407 John Sandy |
| 357 E D Lyman | 408 M L Gaylord |
| 358 John Clary | 409 S Green |
| 359 K J Marcayson | 410 J M Langdon |
| 360 W Deerfield | 411 William Ricken |
| 361 H Benjamin | 412 G W Goss |
| 362 James Thomas | 413 J F Morgan |
| 363 J C Barber | 414 Columbus Hornsby |
| 364 E Bell | 415 A O Carpenter |
| 365 William Cleland | 416 P W Lawthney |
| 366 Noah Cameron | 417 Calvin G Hoit |
| 367 L Furguson | 418 John M Graham |
| 368 Charles Campbell | 419 S J Conditt |
| 369 J M Gillis | 420 A Gunther |
| 370 J E Cooley | 421 William Orr |
| 371 Joseph Savage | 422 T Wells |

423 J W Mathews	434 William Wilder
424 John McClelland	435 Daniel Walley
425 L Merchant	436 A M Weatherbee
426 H Wilber	437 J W Pennoyer
427 N R White	438 A A Faxon
428 W H Bush	439 S Y Lum
429 James F Legate	440 W S Kimball
430 A F Hopper	441 Alfred Paine
431 J Carter	442 George Gilbert
432 Henry Bronson	443 Robert Gilbert
433 J Y Wood	

Certificate properly filled, and signed as follows :

A. D. SEARL,	} Judges.
L. D. COLEMAN,	

W. L. BRIDGES,	} Clerks.
GEO. F. EARL,	

No tally list. The certificate is as follows :

We, the undersigned, judges and clerks of election, hereby certify upon our oaths that for governor, Charles Robinson had 365 votes, and W. Y. Roberts 41 ; that for lieutenant governor, W. Y. Roberts 176 votes, M. J. Parrott had 245 votes, and J. G. Crocker 2 votes ; that for secretary of State, P. C. Schuyler had 383 votes, and C. F. Holliday 43 ; that for auditor, G. A. Cutler had 380 votes ; that for treasurer, J. A. Wakefield had 385 votes, E. C. K. Garvey 36 ; that for attorney general, H. Miles Moore had 426 votes ; that for judge of the supreme court, S. N. Latta had 379 votes, M. F. Conway 371, Morris Hunt 383, G. W. Smith 62, J. A. Wakefield had 33, S. W. Johnson had 48 ; that for reporter of the supreme court, E. M. Thurston had 380 votes, and S. B. Mackenzie 46 ; that for clerk of the supreme court, J. B. Floyd had 427 votes ; that for public printer, John Speer had 374 votes and R. G. Elliot 53 ; that for representative in Congress, M. W. Delehay had 395 votes ; that for State senator, Lyman Allen had 378 votes, B. W. Miller had 160, John Carliss 168, S. N. Wood 210, William Hutchinson 213, G. P. Lowry 148, J. B. Abbott 7 ; J. E. Stewart 15, John Hutchinson 2, McFarlan 1, Dr. Prentice 1, Knight 1 ; that for the house of representatives, John Hutchinson had 314 votes, S. N. Hartwell 322, J. B. Abbott 337, H. F. Saunders 132, James Blood 370, A. H. Mallory 182, G. Jenkins 185, C. Hornsby 380, E. D. Ladd 51, Joel Grover 77, Dr. Prentice 1, E. B. Purdom 160, W. J. R. Blackman 66, R. S. Bassett 48, J. B. Blanton 75, J. R. Kennedy 106, Josiah Miller 88, James Legate, 71, James McGee 148, Robert McFarlan 54, J. E. Stewart 9, S. J. Livingston 44, scattering 44.

And we do further certify, that the said electors were *bona fide* citizens of the United States, of the age of twenty-one years and upwards, and actual residents of Kansas for thirty days immediately preceding the election.

	A. D. SEARL,	} <i>Judges.</i>
	L. D. COLEMAN,	
W. L. BRIDGES,	} <i>Clerks.</i>	
GEO. F. EARL,		

SECOND DISTRICT—*East Douglas precinct.*

Poll-book.

1 G H Snyder	17 John Spaulding
2 P B Harris	18 Levi Jenks
3 Edward Jones	19 George S Laplaw
4 H C Muzzy	20 C C Emery
5 Henry Learned	21 J F Jackson
6 Alfred Pluke	22 E B Knight
7 J N Moore	23 Francis Barker
8 William Lyons	24 William Hall
9 Owen T Bassett	25 A J Smith
10 Owen Taylor	26 Samuel Smith
11 Alphonso Jones	27 Joseph Oakly, jr.
12 E W Smith	28 Robert Hughes
13 Nathan Hacket	29 Joseph Oakly, sen.
14 J H Shimons	30 Edward Oakley
15 Harris Hobb	31 John Kidwell
16 J H Lyons	

The printed certificate is properly filled, signed as follows :

	P. B. HARRIS,	} <i>Judges.</i>
	J. H. SHERMONS,	
P. B. HARRIS,	} <i>Clerks.</i>	
J. H. SHERMONS,		

SECOND DISTRICT—*East Douglas precinct.*

Tally-list.

Governor—Charles Robinson	-	-	-	-	28
Lieutenant Governor—William Y Roberts	-	-	-	-	28
Secretary of State—P C Schuyler	-	-	-	-	28
Auditor—G A Cutler	-	-	-	-	28
Treasurer—J A Wakefield	-	-	-	-	28
Attorney General—H Miles Moore	-	-	-	-	31

Supreme Judge—S T Latta	-	-	-	-	27
“ M F Conway	-	-	-	-	28
“ M Hunt	-	-	-	-	29
Reporter Supreme Court—E M Thurston	-	-	-	-	28
Clerk Supreme Court—S B Floyd	-	-	-	-	31
Public Printer—John Spear	-	-	-	-	28
Representative to Congress—M W Delahay	-	-	-	-	31
State Senator—P B Harris	-	-	-	-	28
“ William Phillips	-	-	-	-	1
State Representative—A Curtis	-	-	-	-	28
“ J M Triton	-	-	-	-	17
“ S Walker	-	-	-	-	6
“ G H Snyder	-	-	-	-	7
“ William Lyons	-	-	-	-	8
“ William Phillips	-	-	-	-	16
“ J H Shimmmons	-	-	-	-	1
“ John Kidwell	-	-	-	-	3
“ John Lyons	-	-	-	-	1
“ W Y Roberts	-	-	-	-	3
“ M J Parrot	-	-	-	-	3
“ C K Holliday	-	-	-	-	3
“ W R Griffith	-	-	-	-	3
“ E C K Garvey	-	-	-	-	3
“ S William Johnson	-	-	-	-	4
“ G W Smith	-	-	-	-	4
“ S B McKenzie	-	-	-	-	3
“ R G Elliott	-	-	-	-	3

The certificate is properly filled, signed as follows:

P. B. HARRIS,	} Clerks.
J. H. SHIMMONS,	
P. B. HARRIS,	} Judges.
J. H. SHIMMONS,	

THIRD DISTRICT.—*Brownsville Precinct.*

Poll-book.

1 Daniel Turner	14 T J Anderson
2 Jno Baxter	15 Samuel Hill
3 David P Hammond	16 Wm H Simerville
4 James M Hammond	17 Wm F Johnson
5 Marshal Burch	18 Lindsey T Cook
6 Wm Armstrong	19 F E Hoad
7 J D Wood	20 James Turner
8 Wm H Turner	21 Samuel Cavander
9 Wm Dailey	22 Robert P Turner
10 John W Brown	23 James Gilpatrick
11 C H Drinkwater	24 G S Holt
12 S C Hariott	25 John Kinney
13 Jas Moran	26 Wm Piggot
H. Rep. 200—49*	

The certificate is properly filled, signed as follows:

	DANIEL TURNER,	} Judges.
	W. F. JOHNSON,	
	J. W. BROWN,	
W. F. JOHNSON,	} Clerks.	
T. E. HOAD,		

Tally-list.

Governor—W Y Roberts	-	-	-	-	-	23
“ Charles Robison	-	-	-	-	-	3
Lieutenant Governor—H J Parrott	-	-	-	-	-	23
“ “ W Y Roberts	-	-	-	-	-	3
Secretary of State—C K Holliday	-	-	-	-	-	23
“ “ P C Schuyler	-	-	-	-	-	3
Auditor—William R Griffith	-	-	-	-	-	23
“ G A Cutler	-	-	-	-	-	3
Treasurer—J A Wakefield	-	-	-	-	-	26
Attorney General—H Miles Moore	-	-	-	-	-	26
Supreme Judge—George W Smith	-	-	-	-	-	23
“ S W Johnson	-	-	-	-	-	23
“ S N Latta	-	-	-	-	-	26
“ M F Conway	-	-	-	-	-	3
“ M Hunt	-	-	-	-	-	3
Reporter Supreme Court—S P McKenzie	-	-	-	-	-	23
“ “ E M Thurston	-	-	-	-	-	3
Clerk Supreme Court—S P Floyd	-	-	-	-	-	26
Public Printer—John Spear	-	-	-	-	-	18
“ R G Elliott	-	-	-	-	-	8
Representative to Congress—Mark W Delehay	-	-	-	-	-	26
State Senator—T G Thornton	-	-	-	-	-	24
“ T L Crane	-	-	-	-	-	2
State Representative—M C Dickey	-	-	-	-	-	23
“ William A Simerwell	-	-	-	-	-	25
“ W R Frost	-	-	-	-	-	26
“ W A Adams	-	-	-	-	-	3
“ M M Robertson	-	-	-	-	-	1

The certificate is properly filled, signed as follows:

	DANIEL TURNER,	} Judges.
	WM. F. JOHNSON,	
	JNO. W. BROWN,	
W. F. JOHNSON,	} Clerks.	
T. E. HOAD,		

THIRD DISTRICT—*Washington Precinct.**Poll-book.*

1 Eli Allen	16 W J Roberts
2 S J Acklin	17 Hiram Shields
3 M Thulkeld	18 W A Cardwell
4 E Banning	19 W R Frost
5 E Brewer	20 Jesse M Roberts
6 James Molton	21 Ward Custard
7 W C Jones	22 H P Gelan
8 William H Hammond	23 Peter Epperson
9 N L Williams	24 Benjamin Moore
10 Josiah Cox	25 Daniel K Lawrence
11 Alexander Wells	26 G W Gilmore
12 Caleb Antram	27 Barnet Fogle
13 William Reilly	28 S G Reffle
14 George S Ramsay	29 John Roorbacher
15 Jacob Roorbacher	30 T V Rush

The printed certificate is properly filled, signed as follows :

	WILLIAM RILEY,	} <i>Judges.</i>
	ELI ALLEN,	
	CALEB ANTRAM,	
GEO. S. RAMSEY,	} <i>Clerks.</i>	
S. J. ACKLIN,		

Poll-list.

Governor—W Y Roberts	-	-	-	-	-	29
“ Charles Robinson	-	-	-	-	-	1
Lieutenant Governor—M J Parrott	-	-	-	-	-	29
“ “ William Y Roberts	-	-	-	-	-	1
Secretary of State—C K Holliday	-	-	-	-	-	29
“ “ P C Schuyler	-	-	-	-	-	1
Auditor—W R Griffith	-	-	-	-	-	29
“ G A Cutler	-	-	-	-	-	1
Treasurer—E C K Garvy	-	-	-	-	-	29
“ J A Wakefield	-	-	-	-	-	1
Attorney General—H Miles Moore	-	-	-	-	-	30
Supreme Judge—G W Smith	-	-	-	-	-	29
“ S W Johnson	-	-	-	-	-	29
“ J A Wakefield	-	-	-	-	-	27
“ S N Latta	-	-	-	-	-	3
Supreme Judge—M F Conway	-	-	-	-	-	1
“ M Hunt	-	-	-	-	-	1
“ S B McKenzie	-	-	-	-	-	29

Reporter Supreme Court—E M Thurston -	-	-	-	1
Clerk Supreme Court—S B Floyd -	-	-	-	30
Public Printer—R G Elliott -	-	-	-	29
“ John Spear -	-	-	-	1
Representative to Congress—M W Delehay -	-	-	-	30
State Senator—T G Thornton -	-	-	-	29
“ F L Crane -	-	-	-	1
State Representative—M C Dickey -	-	-	-	29
“ M M Robinson -	-	-	-	29
“ W R Frost -	-	-	-	29
“ A G Adams -	-	-	-	1
“ W A Simmerwell -	-	-	-	1

The certificate is properly filled, signed as follows :

WILLIAM RILEY, }
 ELI ALLEN, } *Judges.*
 CALEB ANTRAM, }

S. J. ACKLIN, }
 GEO. S. RAMSEY, } *Clerks.*

THIRD DISTRICT—*Tecumseh.*

Poll-book.

1 Samuel Updegraff	19 James S Griffing
2 B R Salor	20 Charles Jordan
3 A N Jordan	21 H W Curtis
4 John Morris	22 George Osborne
5 John J Lawrence	23 Francis Grassmuck
6 W H Moss	24 Jeremiah Nicum
7 W Stevenson	25 Huston Ingram
8 William M Jordan	26 Anderson Delap
9 Dr Updegraff	27 C W Maffit
10 M J Micheal	28 Jesse Frank
11 Joseph K Bartleson	29 William Hook
12 M A Spurrier	30 Osborne Nailor
13 John S Feelin	31 Jehiel Taylor
14 John A Chambers	32 Orlando Moffit
15 Conrad B Alders	33 Charles Rohrbactres
16 James C Morgan	34 E R Moffit
17 G C McCormick	35 Samuel Spralls
18 William Norton	

The certificate is properly filled, signed as follows :

CHARLES JORDON, }
 FRANCIS GRASSMUCK, } *Judges.*
 GEORGE OSBORNE, }

M. J. MITCHELL, }
 J. K. BARTLESON, } *Clerks.*

Tally-list.

Governor—W Y Roberts	-	-	-	-	34
“ Charles Robinson	-	-	-	-	1
Lieutenant Governor—M J Parrot	-	-	-	-	34
“ “ W Y Roberts	-	-	-	-	1
Secretary of State—E K Holliday	-	-	-	-	34
“ “ P C Schuyler	-	-	-	-	1
Auditor—W R Griffith	-	-	-	-	34
“ G H Cutler	-	-	-	-	1
Treasurer—E E K Garvey	-	-	-	-	34
“ J A Wakefield	-	-	-	-	8
Attorney General—H Miles Moore	-	-	-	-	36
“ H Miles Moore	-	-	-	-	1
Supreme Judge—George W Smith	-	-	-	-	34
“ S W Johnson	-	-	-	-	34
“ S P Latta	-	-	-	-	25
“ J A Wakefield	-	-	-	-	7
“ S P Latta	-	-	-	-	1
“ M F Conway	-	-	-	-	1
“ M Hunt	-	-	-	-	1
Reporter Supreme Court—S B McKenzie	-	-	-	-	34
“ “ E M Thurston	-	-	-	-	1
Clerk Supreme Court—S B Floyd	-	-	-	-	35
“ “ S B Floyd	-	-	-	-	1
Public Printer—R G Elliot	-	-	-	-	34
“ John Spear	-	-	-	-	1
Representative to Congress—M W Delehay	-	-	-	-	35
State Senator—T G Thornton	-	-	-	-	30
“ T L Crane	-	-	-	-	1
State Representative—M M Dickey	-	-	-	-	31
“ M M Robinson	-	-	-	-	31
“ W R Frost	-	-	-	-	31
“ A G Adams	-	-	-	-	1
“ W A Simerwell	-	-	-	-	1
“ W R Frost	-	-	-	-	1

Certificate correct, except that 35 votes inserted instead of 37 are set down for H. Miles Moore for attorney general; 25 votes instead of 26 for S. P. Latta, supreme judge; 35 instead of 36 for S. B. Floyd, clerk supreme court; 31 votes instead of 32 for W R Frost, State representative, and gives one vote to E. M. Thurston for Congress, instead of reporter of supreme court. Signed as follows:

CHARLES JORDAN,
FRANCIS GRASSMUCK, } *Judges.*
GEORGE OSBORNE,

M. J. MITCHELL, }
M. A. BARTLEMAN, } *Clerks.*

FOURTH DISTRICT—*Prairie City Precinct.**Poll List.*

1 Charles Legg	42 G W E Griffith
2 John P Lehr	43 Wiley Jones
3 Silas H Moore	44 Perry Fuller
4 Jonathan G More	45 Samuel T Shore
5 Ed W More	46 Erwin Fusman
6 Cornelius P Scott	47 J C Hughes
7 Wm S Ewart	48 A G Spaulding
8 Jared Chapman	49 A D Sprague
9 John F Jarvins	50 E H Baysinger
10 Levi Doty	51 Wm Graham
11 Thos F Doty	52 Michael Blake
12 S Cleveland	53 John Graham
13 C H Carpenter	54 John Edy
14 J W M Shore	55 Charles Clark
15 Champion Mayfield	56 J M Bernard
16 Wm E Crum	57 Wm A David
17 Geo Powers	58 Alvatus Williams
18 J P More	59 Hiram McAllister
19 A F Powell	60 John Wilson
20 S V McMannis	61 Sam'l Walker
21 Constant Dotal	62 A J Miller
22 C Gardon	63 A R Banks
23 A B Webster	64 H J Stewart
24 Wm Mewhinney, sen.	65 Wm Mewhinney, jr.
25 Archibald Harris	66 John S Bronner
26 J E Carpenter	67 E G Scott
27 Wm B Foster	68 B C Westfall
28 Wm B Hayden	69 Wm B Harris
29 David Hendrix	70 Wm More
30 Geo Havens	71 Franklin Barnes
31 Elkanah Timmons	72 F C Tomberlin
32 G B Keyser	73 T E Curtiss
33 John G McLelland	74 Thos McCowen
34 Henry H Wiggins	75 Ralph Mayfield
35 Amos Hannah	76 J B Davis
36 Thos Shirley	77 R B Young
37 Peter Baysinger	78 B T Keyser
38 Jacob Clark	79 John Miller
39 A B Gilliland	80 Wm Luckett
40 J D Hope	81 Chas Kiser
41 James S Scott	

The certificate is correctly filled, and signed as follows :

WILLIAM MOORE,
FOUNTAIN C. TOMBERLIN, } *Judges.*
FRANKLIN BARNEY,

THOS. MCCOWEN,
THERON E. CURTISS, } *Clerks.*

Tally-list.

Governor—Charles Robinson	-	-	-	-	-	24
“ W Y Roberts	-	-	-	-	-	50
Lieutenant Governor—W Y Roberts	-	-	-	-	-	25
“ M J Parrott	-	-	-	-	-	45
Secretary of State—P C Schuyler	-	-	-	-	-	27
“ C K Holliday	-	-	-	-	-	37
Auditor—G A Cutler	-	-	-	-	-	27
“ W R Griffith	-	-	-	-	-	45
Treasurer—J A Wakefield	-	-	-	-	-	27
“ E C K Garvey	-	-	-	-	-	38
Attorney General—H M Moore	-	-	-	-	-	72
Supreme Judge—S N Latta	-	-	-	-	-	27
“ M F Conway	-	-	-	-	-	27
“ M Hunt	-	-	-	-	-	27
“ George W Smith	-	-	-	-	-	45
“ S W Johnston	-	-	-	-	-	45
“ J A Wakefield	-	-	-	-	-	45
Reporter Supreme Court—E M Thurston	-	-	-	-	-	27
“ S B McKenzie	-	-	-	-	-	45
Clerk Supreme Court—S B Floyd	-	-	-	-	-	70
Public Printer—John Speer	-	-	-	-	-	25
“ R G Elliott	-	-	-	-	-	45
Representative to Congress—M W Delehay	-	-	-	-	-	71
State Senator—Perry Fuller	-	-	-	-	-	53
“ W Jones	-	-	-	-	-	28
State Representative—Samuel Mewhenny	-	-	-	-	-	54
“ Samuel T Shore	-	-	-	-	-	52
“ E W E Griffith	-	-	-	-	-	27
“ John Lockhart	-	-	-	-	-	27

Certificate correctly filled, and signed as follows :

WILLIAM MOORE,
FOUNTAIN C. TOMBERLIN, } *Judges.*
FRANKLIN BARNES,

THOMAS McCOWAN, } *Clerks.*
THERON E. CURTISS,

FIFTH DISTRICT—*Stanton Precinct.*

Poll-list.

1 Samuel Buchanon	6 E S Kinkaid
2 Robert Reed	7 A H Standiford
3 Parly P Bingham	8 John Standiford
4 E S Kinkaid	9 William D Bryson
5 John C Benning	10 J Davis

11 James D Kinkaid	28 William Stephenson
12 Oliver R Nichols	29 J F White
13 J Nichols	30 William Sandlin
14 William H Standiford	31 Thomas Wilborn
15 S L Morse	32 George T Lester
16 Jessey W Wilson	33 Jessey Lay
17 William Whitehead	34 Israel Christie
18 B H Reed	35 Isaac Woollard
19 Samuel Whitehead	36 W B Nichols
20 Martin White	37 Josiah Brundy
21 James Saunders	38 John H West
22 John Kirkland	39 J Nichols
23 Greenberry Suel	40 Aurelin Reed
24 James Lester	41 Jesse B Way
25 Z M Herton	42 John Lester
26 Daniel Gray	43 W H. Kinkaid
27 William Lester	

Certificate properly filled, signed as follows :

	ISAAC WOLLARD,	} <i>Judges.</i>
	WM. B. NICHOLS,	
	JOHN H. WEST,	
JOSIAH BUNDY,	} <i>Clerks.</i>	
ISRAEL CHRISTIE,		

Tally-list.

We, the undersigned, judges and clerks of an election held in Staunton, on the 15th day of January, 1856, certify that—

Charles Robinson received, for governor	-	-	31 votes.
W Y Roberts received, for lieutenant governor	-	-	31 "
P C Schuyler received, for secretary of State	-	-	31 "
J A Wakefield received, for treasurer	-	-	31 "
S N Latta received, for judge supreme court	-	-	31 "
M F Conway received, for judge supreme court	-	-	31 "
M Hunt received, for judge supreme court, (in tally-list H Miles Moore,)	-	-	31 votes.
M Miles Moore received, for attorney general	-	-	31 "
G A Cutler received, for auditor	-	-	31 "
John Spear received, for State printer	-	-	31 "
S B Floyd received, for clerk supreme court	-	-	31 "
E M Thurston received, for reporter supreme court	-	-	31 "
Mark W Delehay received, for delegate to Congress	-	-	28 "
H B Standiford received, for delegate to Congress	-	-	3 "
Isaac Stockton received, for senator	-	-	27 "
W W Updegraff received, for senator	-	-	36 "
John Daily received, for senator	-	-	27 "
David Reese received, for representative	-	-	27 "

J M Arthur received, for representative	-	-	-	27 votes.
D M Cannon received, for representative	-	-	-	27 "
Isaac Landers received, for representative	-	-	-	25 "
J B Higgins received, for representative	-	-	-	27 "
H H Williams received, for representative, (in tally-list	W	W	Wil-	
liams,) - - - - -	-	-	-	25 votes.
John Brown - - - - -	-	-	-	none.
H B Staniford received, for representative	-	-	-	41 votes.
Thomas Brown received, for representative, (Thomas Boald in tally-	list,)	-	-	25 votes.

Signed as follows :

ISAAC WOOLLARD, }
WM. B. NICHOLS, } *Judges.*
JNO. H. WEST, }

JOSIAH BUNDY, }
ISRAEL CHRISTIE, } *Clerks.*

Charles Robinson	-	31	votes.	Isaac D Stockton	-	27	votes.
W Y Roberts	-	31	"	W W Updegraff	-	36	"
P C Schuyler	-	31	"	John Daily	-	27	"
J A Wakefield	-	31	"	David Reese	-	27	"
S N Latta	-	31	"	J M Arthur	-	27	"
M F Conway	-	31	"	D W Cannon	-	27	"
M Hunt	-	31	"	Thomas Booen, (Thomas Brown			
H Miles Moore	-	31	"	in certificate,) -	25	votes.	
G A Cutler	-	31	"	Isaac Landers	-	25	"
John Spear	-	31	"	J B Higgins	-	27	"
S B Floyd	-	31	"	W W Williams, (in certificate is			
E M Thurston	-	31	"	H H Williams,) -	25	"	
Mark W Delehay	-	28	"	John Brown, jr	-	none.	
H B Standiford	-	3	"	H B Staniford	-	41	votes.

Tally-list complete.

FIFTH DISTRICT—*Hampden Precinct.*

Poll-book.

1 Lewis Morse	11 C Richards
2 W W Higgins	12 F Rhodes
3 Andrew Hornton	13 A J Warrington
4 Fletcher Wedding	14 J Hays
5 William Paine	15 G Jordan
6 S Wheatley	16 Charles Morse
7 C Dunakey	17 H Domreka
8 A Crooker	18 W Blaisdale, jr
9 J P Pepper	19 W Blaisdale, sen
10 W A Ella	20 H Herrin

21 J A D Clark	24 William Oremsee
22 Perry Mills	25 Martin Runnells
23 James Runnells	26 William B Farnsworth

No certificate.

Tally-list.

Senator—John Dailey	-	-	-	-	-	26
Representative—Thomas Bowen	-	-	-	-	-	26

Certificate filled properly, signed as follows :

	W. A. ELA,	} Judges.
	WM. W. HIGGINS,	
	ANDERSON HARRINGTON,	
JO. A. D. CLARK,	} Clerks.	
JOHN P. PEPPER,		

FIFTH DISTRICT—*Neosho Precinct.*

Poll-book.

1 Hiram Hoover	8 Addison W Diggs
2 Hiram Car	9 Nathaniel D Johnson
3 William Barney	10 John H Bowen
4 James Branne	11 Harden McMahon
5 James A McGennis	12 Jesse N Williams
6 Joseph Lebo	13 Thomas Bowen
7 Andrew C Johnson	

Certificate properly filled, signed as follows :

	HIRAM HOOVER,	} Judges.
	THOS. BOWEN,	
	JOSIAH LEBOS,	
HARD. McMAHON,	} Clerks.	
JESSE V. WILLIAMS,		

Tally-list.

Governor—Dr Charles Robinson	-	-	-	-	—
Lieutenant Governor—W Y Roberts	-	-	-	-	13
Judge Supreme Court—S M Latta	-	-	-	-	13
“ M Hunt	-	-	-	-	13
Treasurer—J H Wakefield	-	-	-	-	13
Auditor—G A Cutler	-	-	-	-	13
Representative to Congress—M W Delehay	-	-	-	-	13
Clerk Supreme Court—S B Floyd	-	-	-	-	10

State Printer—J Spear	-	-	-	-	-	13
Attorney General—H M Moore	-	-	-	-	-	13
Senator—Hiram Hoover	-	-	-	-	-	12
Representative to Congress—Thomas Bowen	-	-	-	-	-	12

Certificate properly filled, signed as follows :

	HIRAM HOOVER,	} Judges.
	THOS. BOWEN,	
	JOSIAH LEBOW,	
JESSE V. WILLIAMS,	} Clerks.	
HARD. McMAHON,		

FIFTH DISTRICT—*Pottawatomie Precinct.*

Poll-book.

1 Davis Frankenger	21 Wakeman Patridge
2 Joseph James	22 B L Cockran
3 William Frankenger	23 James W. Gere
4 Manly Winkler	24 John H Walker
5 Alexander Purdie	25 John H Rockers
6 H H Williams	26 George Rising
7 J T Grant	27 John Brown, jr.
8 J G Brown	28 Frederick Brown
9 Joseph Morey	29 Owen Brown
10 Ephraim Reynolds	30 Henry Thompson
11 J T Barker	31 H M Rumbles
12 James Sutton	32 David Sturgeon
13 Lawrence Brady	33 A C Austin
14 Pointdexter Manes	34 David Baldwin
15 Dewitt C Davenport	35 S B Morse
16 M Whitney	36 William Patridge
17 Charles E Dewey	37 William N Woods
18 Elbrige G Blunt	38 Solomon Blanden
19 Benjamin Davis	39 Samuel Mack
20 John Blunt	

No certificate.

Tally-list.

Governor—Charles Robinson	-	-	-	-	39
Lieutenant Governor—W Y Roberts	-	-	-	-	39
Secretary of State—P C Schuyler	-	-	-	-	39
Treasurer—J A Wakefield	-	-	-	-	38
Judges Supreme Court—S N Latta	-	-	-	-	39
“ M F Conway	-	-	-	-	39

Judge Supreme Court—M Hunt	-	-	-	-	39
Attorney General—H M Moore	-	-	-	-	39
Auditor—G A Cutler	-	-	-	-	39
State Printer—John Spear	-	-	-	-	39
Clerk Supreme Court—S B Floyd	-	-	-	-	39
Reporter Supreme Court—E M Thurston	-	-	-	-	39
Representative to Congress—M W Delehay	-	-	-	-	38

Certificate properly filled, signed as follows :

S. B. MOORE,
 JAS. T. GRANT, } *Judges.*
 DAVID BALDWIN, }
 H. H. WILLIAMS, } *Clerks.*
 EPHRAIM REYNOLDS, }
 POTTAWATOMIE, *January 15, 1856.*

FIFTH DISTRICT—*Little Sugar precinct.*

Poll-book.

1 J D Stockton	20 Solomon Bennett
2 B S Floid	21 James S Dunlap
3 Z G Thompson	22 Henry M Gibbs
4 Chas Waggoner	23 P H Carter
5 Charles Barnes	24 Benjamin Burch
6 W J Turner	25 D W Cannon
7 W B Perry	26 Wm Hobson
8 Jno Fouts	27 Joshua Russell
9 Leander Fouts	28 Pilas Willhite
10 Green Caple	29 John Raun
11 W L Wit	30 D N McQuity
12 Anderson Belesure	31 Enoch Eslep
13 Salmon Mason	32 Jas Barracks
14 Alexander Fouts	33 Phillip Capple
15 Benjamin Hinshaw	34 Harris Vance
16 Ebenezer Barnes	35 Green Warthy
17 Jno Barrak	36 J A Eslep
18 F H Graham	37 H Goodpaster
19 J B Robertson	38 David Reese

The certificate is properly filled, signed as follows :

N. B. PERRY,
 JNO. BARRICK, } *Judges.*
 EBENEZER BARNES, }
 WM. F. WITT, } *Clerks.*

Tally-list.

Governor—Charles Robinson	-	-	-	-	33
Lieutenant Governor—W Y Roberts	-	-	-	-	35

Secretary of State—P C Schuyler	-	-	-	-	32
Treasurer—J A Wakefield	-	-	-	-	34
Supreme Judge—S M Latta	-	-	-	-	34
“ M F Conway	-	-	-	-	34
“ M Hunt	-	-	-	-	34
Attorney General—H Miles Moore	-	-	-	-	34
Auditor—G A Cutler	-	-	-	-	34
State Printer—John Spear	-	-	-	-	33
Clerk of Supreme Court—S B Floyd	-	-	-	-	36
Reporter Supreme Court—E M Thurston	-	-	-	-	34
Representative to Congress—Mark W Delahay	-	-	-	-	34
State Senator—J Daily	-	-	-	-	34
“ J W Updegraff	-	-	-	-	34
“ J S Stockton	-	-	-	-	32
State Representative—D Reese	-	-	-	-	36
“ D W Cannon	-	-	-	-	36
“ J Saunders	-	-	-	-	33
“ J Arthur	-	-	-	-	36
“ J Brown, jr	-	-	-	-	34
“ H M Williams	-	-	-	-	34
“ H B Stanford	-	-	-	-	34
“ J B Higgins	-	-	-	-	34
“ Thos Bowen	-	-	-	-	34

Certificate correct, signed as follows:

W. B. PERRY,
JOHN BARRICK,
EBENEZER BARNES, } *Judges.*

W. TURNER, }
WM. L. WITT, } *Clerks.*

FIFTH DISTRICT—*Little Osage precinct.*

Poll-book.

1 M H Dave	11 Ira Sanders
2 Thos Jones	12 W M Wickham
3 Imbers Ripley	13 John Spears
4 J W Norris	14 James B Pyle
5 Jno Leeders	15 G P Raum
6 Etna Ecart	16 R T Farlist
7 John Delany	17 D B Jones
8 G W Sharp	18 J W Duren
9 P McKillips	19 D C Forbes
10 E A Osborne	

Certificate filled properly, signed as follows:

GREEN B. KAUM, }
M. H. DAVIS, } *Judges.*
R. T. FORBES, }

DANIEL B. JONES, }
S. W. DUNN, } *Clerks.*

FIFTH DISTRICT—*Little Osage Precinct.**Tally-list.*

Governor	Charles Robinson	1
Lieutenant governor	W. Y. Roberts	1
Secretary of state	P. C. Schuyler	1
Treasurer	J. A. Wakefield	1
Judge of supreme court	S. N. Latta	1
	M. F. Conway	1
	M. Hunt	1
Attorney general	H. M. Moore	1
Auditor	G. A. Cutler	1
State printer	John Shear	1
Clerk of supreme court	S. B. Floyd	1
Reporter to supreme court	E. M. Thurston	1
Rep. to Congress	Mark W. Delahay	1
For senator	Isaac D. Stockter	1
	W. W. Updegraff	1
	John Daily	1
Representative	David Reese	1
	David W. Cannon	1
	Isaac Sanders	1
	J. M. Arthur	1
	Jno. Brown, jr	1
	H. H. Williams	1
	H. B. Staniford	1
	Isaac B. Higgins	1
	Thos. Bowen	1

The certificate is properly filled, and signed as follows:

R. F. FORBES,
M. H. DAVIS,
GREEN B. RAUM, } *Judges*

J. W. DURN, }
DANIEL B. JAMES, } *Clerks.*

FIFTH DISTRICT—*Osage Precinct.**Poll-book.*

J. T. Black	John Mickel
Jas. Ward	Middleton Hunsley
A. F. Silars	Levy Ward
Calvin Hood	Samuel Mickel
George Morice	Ashere Wylofi
C. H. Teal	Robert Rhodes
F. A. Hamilton	Heram Penney
W. G. Crashaw	William Mickel
J. R. Miller	William Morris.
Alfred Ward	

No certificate.

Tally-list.

We, the undersigned, judges and clerks of an election held at the house of F. A. Hamilton, in Osage precinct, fifth election district, Kansas Territory, do certify the following-named persons were duly elected:

Governor	Charles Robinson...received...	19
Lieutenant governor	W. Y. Roberts .....do.....	19
Secretary of state	P. C. Schuyler.....do.....	19
Treasurer	J. A. Wakefield.....do.....	19
	S. N. Latta.....do.....	19
	M. F. Conway .....do.....	19
Supreme judge.....	W. Hunt.....do.....	19
Attorney general	H. Miles More.....do.....	19
Auditor	G. A. Cutler.....do.....	19
State printer	John Spear .....do.....	19
Clerk of supreme court.....	S. P. Floyd.....do.....	19
Reporter to supreme court.....	E. M. Thurston .....do.....	19
Rep. to Congress.....	W. W. Delahay .....do.....	19
State senator	J. D. Stockton .....do.....	19
	W. W. Updegraff .....do.....	19
	John Daily.....do.....	19
State representative.....	David Reese .....do.....	19
	D. W. Canon.....do.....	19
	Isaac Landen .....do.....	19
	J. M. Arthur .....do.....	19
	H. H. Williams.....do.....	19
	Isaac B. Higgins.....do.....	19
	A. B. Stanford .....do.....	19
	Thos. Bowen.....do.....	19
	John Brown .....do.....	19

JNO. MICKELS,
F. A. HAMILTON, } *Judges.*
SAML. NICHOL,

A. G. WYCKOFF, } *Clerks.*
ROBERT RHODES,

FIFTH DISTRICT.—*Osawatomie Precinct.*

Poll-book.

1 Noah Parker	6 H. Updegraff
2 James Fuller	7 James Stolts
3 Andrew Bruce	8 S. L. Adair
4 James J. Holbrook	9 Charles Crunston
5 B. Woodbury	10 Amos Finch

- | | |
|-----------------------|----------------------|
| 11 Wm. Chestnut | 50 William Quick |
| 12 J. Sunboon | 51 Jeremiah Harrison |
| 13 James H. Houser | 52 Nathan McVay |
| 14 C. F. Lake | 53 John Jones |
| 15 David H. Bundy | 54 James Williams |
| 16 George Thompson | 55 Thomas O. Brine |
| 17 Isaac Miller | 56 Hurnoss Forit |
| 18 Alba Sunboon | 57 D. C. Buker |
| 19 Morgan Cronkite | 58 George B. Ferris |
| 20 Barton Darrow | 59 Thomas Hitchings |
| 21 Richard Mendenhall | 60 N. J. Roscoe |
| 22 J. P. Glenn | 61 Andrew Doler |
| 23 Samuel Glenn | 62 Milan Fairchild |
| 24 M. D. Lane | 63 David Mendenhall |
| 25 Andrew Updegraff | 64 John Carr |
| 26 H. Jackson | 65 W. W. Updegraff |
| 27 James W. Glenn | 66 C. H. Cruin |
| 28 Silas Wheat | 67 S. M. Merrit |
| 29 Henry Alderman | 68 C. W. Holcomb |
| 30 James Hughes | 69 J. B. Higgins |
| 31 G. W. Collus | 70 Wm. Childers |
| 32 W. N. Caldwell | 71 Daniel Mendenhall |
| 33 William Saling | 72 W. M. Williams |
| 34 J. S. Hoff | 73 S. R. Lewis |
| 35 John C. Nomun | 74 J. R. Everett |
| 36 Thomas Roberts | 75 Amos D. Alderman |
| 37 George Phillips | 76 David R. McDaniel |
| 38 Charles A. Foster | 77 A. S. White |
| 39 John Richardson | 78 George Bradbury |
| 40 Samuel H. Houser | 79 James L. Childers |
| 41 Andrew B. Chambers | 80 Samuel Geer |
| 42 Solomon Potter | 81 John Yelton |
| 43 Frederick Troxwell | 82 William Yelton |
| 44 Caleb Shevar | 83 Silas Hustus |
| 45 Thomas Kelly | 84 Horace Norton |
| 46 W. F. Troxel | 85 O. A. McFarland |
| 47 Francis Brennan | 86 John Sharkey |
| 48 Samuel Jones | 87 John Polund. |
| 49 Patrick Devlin | |

Certificate properly filled, and signed as follows :

B. WOODBURY,
WILLIAM CHESTNUT, } *Judges.*
DANIEL W. COLLIES,

Attest : JAMES J. HOLBROOK, } *Clerks.*
CHARLES CRUNSTON,

Tally-list.

Governor	Charles Robinson	82
Lieutenant governor	W. Y. Roberts	80

Secretary of State	P. C. Scuyler	82
Auditor	G. S. Cutler	81
Treasurer	J. A. Wakefield	81
Attorney general	H. Miles Moore	81
Supreme judge	Latta	81
	Conway	82
	Hunt	81
Reporter supreme court	E. M. Thurston	79
Clerk supreme court	S. B. Floyd	82
Public printer	John Speer	82
Representative to Congress	Mark W. Delahay	78
State senator	John Darly	77
	Isaac D. Stockton	80
	Wm. W. Updegraff	73
	S. L. Adair	9
State representative	Thomas Boone	77
	S. L. Adair	1
	O. C. Brown	1
	H. B. Stanford	76
	John Brown, jr.	76
	C. A. Foster	7
	J. B. Higgins	70
	H. H. Williams	82
	Isaac Landers	77
	D. W. Cannon	77
	J. M. Arthur	77
	David Reese	77

The tally-list is not certified to. The judges applied the certificate of the poll-list to the tally-list.

SIXTH DISTRICT—*Mill Creek.*

Poll-book.

1 Christopher Schwanke	10 Peter Plfifer
2 Bernhart Hansjukob	11 Carl Marasch
3 Franz Shmidt	12 Jacob Terrass
4 Herman Miller	13 Peter Days
5 Bernhard Shuttle	14 Vert Ludwig Henrick
6 John Shreve	15 Christian Rath
7 John Shuter	16 John Simpke
8 Carl Pratt	17 Joseph Engelhart
9 Johan Philip Kleich	18 Johan Acheharts.

Certificate correctly filled, and signed as follows:

JACOB TERRASS,
PETER THOES,
CARL MARASCH, } *Judges.*

CHRISTIAN RATH, } *Clerks.*
V. LUD. HENRICH, }
H. Rep. 200—50*

Tally-list.

Governor.....	Wm. Y. Roberts.....	18
Lieutenant governor.....	M. J. Parrott.....	18
Secretary of state.....	C. K. Holliday.....	18
Auditor.....	W. R. Griffith.....	18
Treasurer.....	E. C. K. Garvey.....	18
Attorney general.....	H. Miles Moore.....	18
Supreme judge.....	Geo. W. Smith.....	18
	S. W. Johnston.....	18
	S. M. Latter.....	18
Reporter supreme court.....	S. P. McKenzie.....	18
Clerk supreme court.....	S. B. Floyd.....	18
Public printer.....	R. G. Elliott.....	18
Representative to Congress.....	M. W. Delehay.....	18
State senator..	John H. Nesbit.....	18
State representative.....	Andrew B. Marshall.....	18

No tallies.

Certificate correct, and signed as follows :

JACOB TERRASS, }
 PETER THOES, } *Judges.*
 CARL MARASCH, }

CHRISTIAN RATH, }
 V. LUD. HENRICH, } *Clerks.*

SIXTH DISTRICT—*Titus Precint.**Poll-book.*

1 A. Smith	18 Abram Leonard
2 J. M. Winchell	19 Lucian Fish
3 Wm. Lord	20 James R. Stewart
4 W. N. Havens	21 James Ramsay
5 M. H. Rose	22 Nicholas Schuyler
6 Thomas Russell	23 George J. Drew
7 Hiram Mills	24 L. D. Joy
8 Chas. W. Fish	25 A. W. Hubbard
9 A. Polly	26 Absalom Hoover
10 Henry Smith	27 Joseph B. Griswold
11 J. B. Titus	28 Wm. Y. Drew
12 D. Wright	29 Henry Todd
13 Wm. W. Fish	30 David Hoover
14 Wm. H. Foothman	31 Samuel A. Allison
15 James Aikins	32 John Drew
16 John Crawford	33 J. R. Crozier.
17 E. M. Perrin	

Certificate correct, and signed as follows :

J. B. TITUS, }
 JOHN DREW, } *Judges.*
 WM. LORD, }

M. J. POLLY, }
 CHAS. W. FISH, } *Clerks.*

Tally-list.

Governor.....	Charles Robinson.....	28
	W. Y. Roberts.....	4
Lieutenant governor.....	M. J. Parrott.....	4
	W. Y. Roberts.....	28
Secretary of state.....	P. C. Schuyler.....	28
	C. K. Holliday.....	4
Auditor.....	G. A. Cutler.....	28
	W. R. Griffith.....	4
Treasurer.....	J. A. Wakefield.....	28
	E. C. K. Garvey.....	4
Attorney general.....	H. Miles Moore.....	32
Supreme judges.....	S. N. Latta.....	32
	M. F. Conway.....	28
	George W. Smith.....	4
	M. Hunt.....	28
	S. W. Johnson.....	4
Reporter supreme court.....	E. M. Thurston.....	28
	S. B. McKensie.....	4
Clerk supreme court.....	S. B. Floyd.....	32
Public printer.....	John Speer.....	28
	R. G. Elliott.....	4
Representative to Congress.....	Mark W. Delehay.....	32
State senator.....	Josiah K. Pillsbury.....	23
	Lucian Fish.....	33
	—— Nisbit.....	2
State representative.....	Horace W. Taber.....	23
	D. Soothman.....	1
	Henry Todd.....	25
	—— Nesbit.....	7
	Warren N. Havens.....	19
	—— Dow.....	10
	Thos. J. Addis.....	23
	—— Marshall.....	9
	W. H. Tookman.....	14
	H. B. Todd.....	9

No tallies. Certificate not filled, but signed as follows:

J. B. TITUS,
JOHN DREW, } *Judges.*
WM. LORD,

M. J. POLLY, } *Clerks.*
C. W. FISH,

SIXTH DISTRICT—*Clark's Creek Precinct.*

Poll-book.

1 Henry Mitchell
2 J. W. Stewart
3 Samuel Berry

4 Jacob Swartwood
5 Joseph Berry
6 Jesse Spencer

7 S. F. Gordon
8 Silas Klotz

9 George M. Sweetzer
10 Alexander Dean.

Certificate correct, and signed as follows :

HENRY MITCHELL, }
J. W. STEWART, } *Judges.*
SAMUEL BERRY, }

JACOB SWARTWOOD, }
JOSEPH BERRY, } *Clerks.*

Tally-list.

Governor	Charles Robinson	9
Lieutenant governor	W. Y. Roberts	9
Secretary of state	P. C. Schuyler	9
Treasurer	J. A. Wakefield	9
Supreme judges	S. N. Latta	9
	M. F. Conway	9
	M. Hunt	9
Attorney general	M. Miles Moore	9
Auditor	S. A. Cutler	9
State printer	John Speer	9
Clerk of supreme court	S. B. Floyd	9
Reporter supreme court	E. M. Thurston	9
Representative to Congress	Mark W. Delehay	9
State representative	G. F. Gordon	10

Tally-list made out and certificate correct. Signed as follows :

HENRY MITCHELL, }
J. W. STEWART, } *Judges.*
SAMUEL BERRY, }

JACOB SWARTWOOD, }
JOSEPH BERRY, } *Clerks.*

SIXTH DISTRICT—*Columbia.*

Poll-list.

1 E. P. Wolf	12 Thos. Addis, sr.
2 William Goodwill	13 Jasper S. Goodwill
3 E. P. Hadley	14 George Phillips
4 G. D. Humphrey	15 Alexander Midlemis
5 T. J. Addis, jr.	16 Alexander Milison
6 John Fowler	17 Aaron Dow
7 Samuel McVay	18 Abraham D. Staley
8 Harry Fowler	19 John J. Addis
9 Mathew McCormick	20 Elihu Newlin
10 Nathan McCormick	21 Silas T. Howel
11 William Fowler	22 James H. Pheanis

23 Charles Johnson
 24 Ira Hadley
 25 P. A. Pheanis
 26 Joel Hayworth
 27 Joseph Morr

28 Moses Pucket
 29 Lemuel H. Johnson
 30 R. H. Abraham
 31 Aaron Phelps

[Certificate defective; fails to state the number of votes, or to vouch their qualifications.]

Tally-list.

Governor.....	Charles Robinson	31
Lieutenant governor.....	W. Y. Roberts.....	31
Secretary of state	P. C. Schuyler.....	31
Treasurer	J. A. Wakefield.....	31
Supreme judges.....	S. N. Latty.....	31
	H. F. Conway	31
	M. Hunt	31
Attorney general.....	H. Miles Moore	31
Auditor.....	C. A. Cutler.....	31
State printer	John Speer	31
Clerk of supreme court	S. B. Floyd.....	31
Reporter of supreme court.....	E. M. Thurston	31
Representative to Congress.....	Mark Deleha.....	31
State senator	Lowry Fish.....	31
State representative	Thomas J. Addis.....	23
	Dr. Tootman	31
	Henry Todd	31

The tally is regularly made out and signed by the judges, but not certified.

G. D. HUMPHREY, }
 THOS. J. ADDIS, } *Judges.*
 JOHN FOWLER, }

ELIHU P. HADLEY, }
 WILLIAM FOWLER, } *Clerks.*

SIXTH DISTRICT—*Ashland.*

Poll-book.

1 E. H. Howard	6 C. A. Berry
2 C. M. Barclay	7 T. W. Ross
3 N. B. White	8 J. Hunt
4 J. Ryan	9 M. D. Fisher
5 A. Willard	10 William Allingham

Number of votes not certified. Printed certificate, without stating the number, signed as follows:

C. M. BARCLAY, }
 THOS. W. ROSS, } *Judges.*
 M. D. FISHER, }

JIM HUNT, }
 N. B. WHITE, } *Clerks.*

Tally-list.

Governor.....	Charles Robinson	8
	W. Y. Roberts.....	1
Lieutenant governor	W. Y. Roberts	8
	M. J. Parrott.....	1
Secretary of state	P. C. Schuyler.....	8
	C. K. Holliday	1
Auditor.....	G. A. Cutler	8
	W. R. Griffith.....	1
Treasurer	J. A. Wakefield	8
	E. C. K. Garvey	1
Attorney general	H. M. Moore.....	9
Supreme judges.....	S. N. Latta	9
	M. F. Conway.....	8
	M. Hunt.....	8
	S. W. Johnston.....	1
	George W. Smith.....	1
Reporter of supreme court.....	E. M. Thurston	9
	S. B. McKenzie.....	1
Clerk of supreme court.....	J. B. Floyd.....	9
Public printer.....	J. Speer.....	8
	R. G. Elliott.....	1
Representative to Congress.....	Mark W. Delahay.....	9
State senator	J. H. Pillsbury.....	10
State representative	A. B. Marshall.....	8

No tallies, but the result as above. The certificate correctly filled and signed as follows :

	C. M. BARCLAY,	} <i>Judges.</i>
	THOS. W. ROSS,	
	M. D. FISHER,	
JESSE HUNT,	} <i>Clerks.</i>	
N. B. WHITE,		

SEVENTEENTH DISTRICT—*Pawnee Precinct.**Poll-list.*

1 Samuel Knapp	11 L. Lincoln
2 Robert Kultz	12 Jacob Hill
3 Benjamin J. Green	13 Abraham Barry
4 Diraneir Furrow	14 John Shuemaker
5 J. M. Meyers	15 J. P. Wiggins
6 H. W. Martin	16 Henry Dunham
7 Wm. Stiff	17 J. H. Loder
8 John J. Miles	18 George Hill
9 Samuel Barr	19 J. B. Dickerson
10 S. B. White	20 J. M. Hulse

The certificate is correctly filled, and signed as follows :

LEMUEL KNAPP,
HENRY M. MARTIN, } *Judges.*
WILLIAM F. STILL,

J. M. MEYERS, } *Clerks.*
DIRANCE FURROW,

Tally-list.

Governor.....	Charles Robinson	
Lieutenant governor	W. Y. Roberts.....	20
Secretary of state.....	P. T. Schuyler	20
Auditor.....	G. A. Cutler	20
Treasurer	J. A. Wakefield	20
Attorney general.....	H. Miles Moore.....	20
Supreme judge.....	S. N. Latta.....	20
	M. F. Conway.....	20
	M. Hunt	20
Reporter of supreme court.....	E. M. Thurston	20
Clerk of supreme court	S. B. Floyd.....	20
Public printer.....	John Speer	20
Representative to Congress.....	Mark Delahay.....	20
State senator	S. B. McKenzie.....	12
	P. Newhart.....	8
State representative	Thomas W. Platt.....	11
	Abraham Barry	17
	Wm. M. McClure.....	14
	J. D. Adams.....	20
	J. H. Green.....	4
	Augustin Wattles	4
	W. Whitesides	8

The certificate is correct, except that Abraham Barry received seventeen votes instead of sixteen, and is signed as follows :

SAMUEL KNAPP,
HENRY W. MARTIN, } *Judges.*
WILLIAM F. STILL,

J. M. MEYERS, } *Clerks.*
D. FURROW,

SEVENTH DISTRICT—*Big Blue Precinct.*

Poll-list.

1 M. L. Wisner	4 Isaac T. Goodenow
2 Armory Hunting	5 J. Stewart
3 William Hanna	6 T. Imerson

7 John Piphe	44 G. W. Jameson
8 James H. Sayar	45 H. Whiteside
9 C. E. Blood	46 John Merris
10 J. S. Hoffecker	47 Henry Bishop
11 L. B. McKensie	48 A. H. H. Lamb
12 William Hoon	49 P. Neyhart
13 C. N. Low	50 J. H. Brouse
14 C. W. Beebe	51 Malachi Glenn
15 Truman Shatluck	52 A. J. Allen
16 J. E. Wood	53 M. B. Powers
17 Barney Katigan	54 S. P. Powers
18 Newell Trafton	55 G. C. Tyler
19 S. P. Allen	56 Thomas Blacklie
20 Ambrose Todd	57 John Mail
21 Asaph Browning	58 G. H. Morse
22 Charles Barnes	59 C. H. Gibson
23 John Gill	60 Samuel Hemsley
24 Joseph Legore	61 David Hays
25 F. B. Smith	62 John Hadson
26 Patrick Dunn	63 A. D. Woodworth
27 William Aghan	64 P. Chewdet
28 William Campster	65 Charles Holborn
29 John McDarmon	66 John McIntyre
30 David Gorman	67 Wm. S. Arnold
31 E. M. Thuston	68 A. Williams
32 John Supine	69 Thos. W. Platte
33 L. P. Richards	70 W. E. Goodenow
34 Christian Gates	71 M. A. Garrett
35 Seth R. Childs	72 R. Garrett
36 John Waas	73 Josiah Hight
37 George Tilton	74 J. Denison
38 A. C. Dyer	75 Simeon Perry
39 Lorenzo Westover	76 Edmund Hunting
40 Wm. Dyer	77 H. B. Nealey
41 S. D. Houston	78 Joseph Hays
42 J. L. Supine	79 H. Jackson
43 L. B. Williams	

The certificate is correctly filled, and signed as follows:

WILLIAM HANNA,
J. STEWART,
ISAAC F. GOODNOWE, } *Judges.*

SIMEON PERRY, }
THOMAS IMERSON, } *Clerks.*

Tally-list.

Governor.....	Chas. Robinson.....	61
Lieutenant governor	W. Y. Roberts.....	62
Secretary of state.....	P. C. Scuyler.....	62

Auditor.....	G. S. Cutler.....	62
Treasurer	J. A. Wakefield.....	62
Attorney general	H. Miles Moore	63
Supreme judge.....	S. N. Latta.....	62
	M. F. Conway.....	63
	M. Hunt	60
Reporter to supreme court	E. M. Thurston	63
Clerk to supreme court.....	S. B. Floyd.....	62
Public printer	John Speer.....	62
Reporter to Congress	Mark W. Delahay.....	42
	S. C. Ponroy.....	14
	R. Jones	
	R. Smith.....	
State senator	S. B. McKinzie.....	39
	P. Neyhart.....	33
State reporter.....	T. W. Platt.....	36
	H. W. Whiteside.....	37
	Josiah D. Adams.....	49
	A. Barry.....	51
	Wm. M. McClure	51

The certificate is correctly filled, and signed as follows :

WILLIAM HANNA,
J. STEWART,
ISAAC F. GOODNOWE, } *Judges.*

SIMEON PERRY, }
THOMAS IMERSON, } *Clerks.*

EIGHTH DISTRICT—Ohio City Precinct.

Poll-list.

1 Wm. Sanders	9 Rees Furbray
2 Henry Halenbury	10 Lewis Furbray
3 Soren Jesen	11 Manklin Reed
4 Henry Brockenger	12 Joseph Brew
5 I. D. Warren	13 J. D. Wells
6 Samuel Langdon	14 Am. Bell
7 Henry Ashdown	15 Lowry Trombly
8 Frederick Brockinger	16 Thos. Spruce

The certificate is correctly filled, and signed as follows :

H. HOLLENBURY, }
JOHN D. WELLS, } *Judges.*
WM. SANDERS, }

S. FURBRAY, }
M. BELL, } *Clerks.*

Tally-list.

Governor.....	Chas. Robinson.....	16
Lieutenant governor	Wm. Y. Roberts.....	16

Secretary of state	P. C. Scuyler	16
Auditor.....	G. S. Cutler.....	16
Treasurer	J. A. Wakefield	16
Attorney general	H. Miles Moore.....	16
Supreme judge	S. M. Latta.....	16
	M. F. Conway.....	16
	S. W. Johnson.....	16
Reporter supreme court	E. N. Thurston	16
Clerk supreme court.....	S. B. Floyd.....	16
Public printer.....	John Speer.....	16
Representative to Congress.....	Mark W. Delahay.....	16
State senator.....	Jos. M. Cole	16
State representative	J. P. Wilson.....	16
	Rees Furbay.....	16

This tally is fully stated, and the certificate is correctly filled and signed as follows :

H. HOLLENBURY, }
JOHN D. WELLS, } *Judges.*
WM. SANDERS, }

L. FURBAY, }
A. M. BELL, } *Clerks.*

EIGHTH DISTRICT—*St. Mary's Precinct.*

Poll-list.

1 P. Trucky	7 O. B. Dean
2 B. E. Dean	8 F. Schaffer
3 H. Desbuhans	9 A. Becker
4 A. Wurkel	10 W. Blusmerer
5 J. D. E. Ivis	11 S. Hopkins
6 Charles Dean	

The certificate is correctly filled, and signed as follows :

R. E. D. IVIS, }
O. B. DEAN, } *Judges.*
CHARLES DEAN, }

AUGUSTUS BECKER, }
F. SCHAFFER, } *Clerks.*

Tally-list.

Governor	W. Y. Roberts.....	11
Lieutenant governor	M. J. Parrott	11
Secretary of state	P. C. Scuyler	11
Auditor.....	G. A. Cutler.....	11
Treasurer	J. A. Wakefield	11
Attorney general	H. Miles Moore	11
Supreme judge.....	S. N. Latta.....	11

	M. F. Conway.....	11
	S. W. Johnson.....	11
Reporter supreme court	E. M. Thurston.....	11
Clerk supreme court.....	S. B. Floyd	11
Public printer.....	John Speer	11
Representative to Congress.....	Mark W. Delahay.....	11
State senator.....	Joseph M. Cole	11
State representative	James P. Wilson.....	11
	Rees Furby.....	11
	Richard Murphy	8

The tally is fully stated, and the certificate is correctly filled and signed as follows :

	R. E. D. IVIS,	} <i>Judges.</i>
	O. B. DEAN,	
	CHARLES DEAN.	
AUGUSTUS BECKER, }		} <i>Clerks.</i>
F. SCHAFFER,		

EIGHTH DISTRICT—*Kickapoo City Precinct.*

Poll-list.

1 D. Geigle	27 S. Jacobs
2 J. M. Stephens	28 M. P. Berry
3 A. J. Stephens	29 J. A. C. May
4 E. Guyman	30 R. A. Foster
5 J. O. Conner	31 John Brown
6 Dan. Haley	32 Harvey Vance
7 John Foster	33 M. J. Freeland
8 James Vanderpool	34 F. H. Gregory
9 H. Vanderpool	35 A. C. P. Hayne
10 E. Juepinen	36 M. C. Butler
11 H. C. Castle	37 Wm. A. Hoon
12 J. A. Lawrence	38 H. C. Brown
13 David Hutten	39 R. D. Clark
14 Scott Atkinson	40 H. Heartman
15 E. S. Welhite	41 Chris. Locknamar
16 J. A. Crump	42 S. D. Gregory
17 A. R. Steele	43 James Armstrong
18 M. A. Russell	44 Wm. C. Johnson
19 John Healy	45 Wm. Hathaway
20 J. M. Dennis	46 A. Brown
21 T. Hackett	47 J. D. Edwards
22 John C. Ellis	48 A. C. Sumners
23 J. Ellis	49 John W. Freeland
24 P. Bergler	50 M. Greenough
25 Wm. Kenneday	51 Henry H. Brown
26 R. C. Lawrence	52 Joseph Brown

53 Amos G. Ridgeway	60 F. R. Jones
54 Wm. Price	61 Meigs Hunt
55 S. Young	62 John M. Lockman
56 R. Gibson	63 John Isaacs
57 J. A. Castle	64 S. Preston
58 Wm. Hobbs	65 John H. Gretel
59 H. B. Stearns	

The certificate is correctly filled, and signed as follows:

	DAVID GEIGLE,	} <i>Judges.</i>
	E. GERRYMAN,	
	JAS. VANDERPOOL,	
R. C. LAWRENCE,	} <i>Clerks.</i>	
DAN. HALEY,		

Tally-list.

Governor.....	Charles Robinson.....	14
	W. Y. Roberts.....	51
Lieutenant governor	W. Y. Roberts.....	9
	M. J. Parrott.....	59
Secretary of state.....	P. C. Scuyler.....	14
	C. R. Holliday.....	57
Auditor.....	G. A. Cutler.....	14
	William R. Griffith.....	51
Treasurer.....	J. A. Wakefield.....	14
	E. C. R. Garvey.....	51
Attorney general.....	H. Miles Moore.....	65
Supreme judge.....	S. N. Latta.....	14
	G. W. Smith.....	51
	M. F. Conway.....	14
	S. W. Johnson.....	51
	M. Hunt.....	14
	J. N. Wakefield.....	51
Reporter supreme court.....	E. M. Thurston.....	14
	L. B. McKenzie.....	51
Clerk supreme court.....	S. B. Floyd.....	65
Public printer.....	John Speer	14
	R. G. Elliott.....	51
Representative to Congress.....	M. W. Delahay	65
State senator	D. E. Jones.....	65
	J. A. Hathway.....	
State representative.....	John D. Jones.....	65
	E. R. Zimmerman	65
	John W. Stephens.....	65
	William Crosby.....	65
	William T. Barret.....	65
	J. C. Ridgway.....	
	L. Knott.....	

The certificate is correctly filled and signed as follows, and the tally is fully stated:

	DAVID GEIGLE,	} <i>Judges.</i>
	E. GERRYMAN,	
	JAMES VANDERPOOL,	
R. C. LAWRENCE,	} <i>Clerks.</i>	
DAN. HALEY,		

EIGHTH DISTRICT—*Silver Lake Precinct.*

Poll-list.

1 Joseph M. Cole	22 S. R. Massteller
2 Andrew Leecompt	23 Samuel Cummings
3 Louis Pappan	24 Joseph Wellport
4 David Milne	25 J. G. Tomson
5 Louis Posaro	26 J. Antoine
6 N. K. Vinegarder	27 Robert McNown
7 Joseph Nickson	28 Stephen Forkhier
8 Richard Murphy	29 E. Kennedy
9 Samuel Reader	30 L. W. Smith
10 Alexander Rodd	31 Albion Alcott
11 Francis Junkin	32 J. W. Hopkins
12 A. S. Frambly	33 Charles H. Robson
13 Jonathan Mitchell	34 Joseph Ogee
14 B. B. Damewood	35 L. H. Ogee
15 J. H. Damewood	36 Thomas Lamar
16 Charles Columbo	37 Paul Vieux
17 Daniel Downie	39 J. P. Alcott
18 Timothy Downie	39 F. H. Countryman
19 Joseph Kopp	40 Harrison Wells
20 Eleonora Blondels	41 John Logeer
21 John Murphy	42 E. Stephens

The certificate is correctly filled, and signed as follows :

	A. R. VINEGARDER,	} <i>Judges.</i>
	J. P. NIXAN,	
	DAVID MILNE,	
LAWRENCE MURPHY,	} <i>Clerks.</i>	
SAMUEL READER,		

Tally-list.

Governor.....	W. Y. Roberts.....	41
	Charles Robinson.....	1
Lieutenant governor.....	M. J. Parrott.....	41
	W. Y. Roberts.....	1
Secretary of state.....	C. K. Holliday.....	41
	P. C. Schuyler.....	1

Auditor.....	W. R. Griffith.....	41
	G. A. Cutler.....	1
Treasurer.....	E. C. R. Garvey.....	
	J. A. Wakefield.....	42
Attorney general.....	H. Miles Moore.....	42
Supreme judge.....	George W. Smith.....	41
	S. W. Johnson.....	41
	S. N. Latta.....	42
	M. F. Conway.....	1
	M. Hunt.....	1
Reporter supreme court.....	S. M. McKenzie.....	41
	E. M. Thurston.....	1
Clerk supreme clerk.....	S. B. Floyd.....	42
Public printer.....	R. G. Elliott.....	
	John Speer.....	42
Representative to Congress.....	M. W. Delahay.....	42
State senator.....	Joseph M. Cole.....	42
State representative.....	J. G. Thompson.....	14
	Richard Murphy.....	30
	James P. Wilson.....	30

The certificate is correct, except that F. M. Conway is inserted instead of M. F. Conway. The tally-list is regularly made out, and signed as follows:

	N. H. VINEGARDER,	} <i>Judges.</i>
	N. P. NIXON,	
	DAVID MILNE,	
LAWRENCE MURPHY,	} <i>Clerks.</i>	
SAMUEL READER,		

EIGHTH DISTRICT—*Wabaunsee Precinct.*

Poll-list.

1 Hiram Keys	11 L. W. Brown
2 J. M. Burleigh	12 H. J. Fadder
3 C. H. Lawin	13 J. Willey
4 Abram Stone	14 J. H. Pillsmy
5 E. R. McCauley	15 D. B. Hiatt
6 Barthol Flace	16 H. P. Leonard
7 H. Bisbee	17 H. W. Fabor
8 J. C. Marsmen	18 Harvy Jones
9 H. T. Brown	19 A. B. Marshall
10 I. M. Bushbey	

The certificate is correctly filled, and signed as follows:

	E. R. McCURDY,	} <i>Judges.</i>
	J. M. BISBEY,	
	DANIEL B. HIATT,	
H. J. FADDER,	} <i>Clerks.</i>	
JOHN C. MARSMAN,		

Tally-list.

Governor	Charles Robinson.....	19
Lieutenant governor.....	W. Y. Roberts.....	
Secretary of state.....	P. C. Schuyler.....	19
Auditor	G. S. Cutler.....	19
Treasurer.....	J. A. Wakefield.....	19
Attorney general.....	H. Miles Moore.....	19
Supreme judge.....	S. A. Latta.....	19
	M. F. Conway.....	19
	M. Hunt.....	19
Reporter to supreme court.....	E. M. Thurston.....	17
Clerk to supreme court	J. B. Floyd.....	19
Public printer.....	John Speer.....	19
Representative to Congress.....	M. W. Delahay	18
State senator.....	J. H. Pillsbury.....	16
	J. H. Nesbitt.....	2
State representative.....	H. W. Tabour.....	15
	S. B. Martial.....	3

The certificate is correct, except the tally for W. Y. Roberts is not included, and is signed as follows:

E. R. McCURDY, }
J. M. BISBEY, } *Judges.*
DANIEL HIATT, }

H. J. FADDER, }
JOHN J. MARSMAN, } *Clerks.*

NINTH DISTRICT—*Whitfield Precinct.**Poll-book.*

1 Christopher Leonard	10 J. B. Chapman
2 Vincent D. Cohee	11 J. F. Jenner
3 Christopher C. Diggin	12 John Miller
4 T. H. Jenner	13 Pleasant Curly
5 J. W. Fouts	14 John Kolb
6 H. House	15 Stephen Papan
7 John Cunningham	16 Geo. Brennon
8 Henry Seal	17 Francis Jame
9 Frederick Swige	18 Franklin Dearbeak

The certificate is correctly filled, and signed as follows:

THOMAS JENNER, }
V. D. COHEE, } *Judges*
JOHN CUNNINGHAM, }

HIRAM HOWE, }
J. W. FOUTS, } *Clerks.*

Tally-list.

Governor.....	Charles Robinson.....	6
	W. Y. Roberts	11
Lieutenant governor	M. J. Parrott.....	11
	W. Y. Roberts	6
Secretary of state.....	P. C. Scuyler	6
	C. K. Holliday.....	11
Auditor.....	G. A. Cutler.....	6
	W. R. Griffith.....	11
Treasurer	J. A. Wakefield.....	7
	E. C. R. Garey	9
	P. C. Scuyler	1
Attorney general	H. Miles Moore.....	17
Supreme judge.....	S. N. Latta.....	10
	G. W. Smith	11
	L. W. Johnson.....	11
	M. Hunt	6
	M. T. Conway.....	6
	J. A. Wakefield.....	6
Reporter to supreme court.....	E. M. Thurston	6
	S. B. McKensie.....	11
Clerk to supreme court.....	S. B. Floyd.....	17
Public printer.....	John Speer	6
	R. G. Elliott.....	11
Representative to Congress.....	M. W. Delahay.....	17
State senator.....	Thomas Jenner.....	18
State representative	V. D. Cohee.....	18
	Hiram House.....	18

Tallies complete.

The certificate is correctly filled, and signed as follows :

THOMAS JENNER,	} Judges.
V. D. COHEE,	
JOHN CUNNINGHAM,	

HIRAM HOWE,	} Clerks.
J. W. FOUTS,	

NINTH DISTRICT—*Slough Creek Precinct.*

Poll-book.

1 Hugh McGepee	8 John Beecher
2 Andrew Francis	9 James Powell
3 James C. Ward	10 James Noble
4 Robert Ward	11 Shobal J. Ellis
5 Jacob R. Smith	12 Wm. Owen
6 Aaron Smith	13 John A. Peters
7 Charles Rice	14 Alexander McDowall, sr.

The certificate is correctly filled, and signed as follows:

JACOB R. SMITH,
ROBERT WARD, } *Judges.*
J. A. PETERS,

ANDREW J. FRANCIS, } *Clerks.*
JAMES C. WARD,

Tally-list.

Governor	W. Y. Roberts	14
Lieutenant governor	M. J. Parrott	14
Secretary of state	C. K. Holliday	14
Auditor	W. R. Griffith	14
Treasurer	E. C. R. Garvey	14
Attorney general	H. Miles Moore	14
Supreme judge	G. W. Smith	14
	L. W. Johnston	14
	S. N. Latta	4
	J. A. Wakefield	10
Reporter to supreme court	S. B. McKenzie	14
Clerk to supreme court	L. B. Floyd	14
Public printer	R. G. Elliott	14
Representative to Congress	M. W. Delahay	14
State senator	Thomas Jenifer	13
State representative	Vincent D. Cohee	13
	Hiram House	12

Tally-list complete.

Certificate correctly filled, and signed as follows:

JACOB R. SMITH, } *Judges.*
ROBERT WARD, }
J. A. PETERS,

ANDREW J. FRANCIS, } *Clerks.*
JAMES C. WARD;

NINTH DISTRICT—*Grasshopper Falls Precinct.*

Poll-list.

1 John Weaver	10 Wm. Catt
2 G. S. Hillyer	11 Wm. A. Godwin
3 Michael Hasley	12 Martin Vandenburg
4 L. Northink	13 Jacob Fisher
5 Ben Wiser	14 Henry Lewn
6 S. H. Dunn	15 Jacob Weber
7 Wm. Grigsby	16 Alexander Hughan
8 John W. Clark	17 John Hughan
9 T. H. Elliott	18 W. A. Cowan

H. Red. 200—51*

19 Sidney Scanland	33 John Roberts
20 Atkinson Martin	34 J. H. Cowan
21 Samuel Johnson	35 Henry Bowles
22 Perry Moss	36 James Frazier
23 Daniel Runkles	37 Wm. Bowles
24 Epraham Lowman	38 John Roderick
25 Abel Ott	39 Saml. L. Smith
26 John Wideman	40 Chalmers Scott
27 France Amen	41 John H. McCenny
28 John Elliott	42 S. W. Owen
29 Isaac Cody	43 J. Sills
30 John Short	44 Daniel A. Wilby
31 P. J. Redwick	45 Adam Wiser
32 John Earnst	

The certificate is correctly filled, and signed as follows :

JOHN W. CLARK, }
T. H. ELLIOTT, } *Judges.*
JAMES FRAZER, }

ATKINSON MARTIN, }
W. A. COWAN, } *Clerks.*

Tally-list.

Governor.....	Charles Robinson.....	44
	W. Y. Roberts.....	1
Lieutenant governor.....	W. Y. Roberts.....	44
Secretary of state.....	P. C. Scuyler.....	45
Auditor.....	G. A. Cutler.....	45
Treasurer.....	J. A. Wakefield.....	45
Attorney general.....	H. Miles Moore.....	43
Supreme judge.....	S. N. Latta.....	45
	M. F. Conway.....	45
	M. Hunt.....	45
Reporter of supreme court.....	E. M. Thurston.....	45
Clerk of supreme court.....	S. B. Floyd.....	45
Public printer.....	John Speer.....	45
Representative to Congress.....	M. W. Delahay.....	40
State senator.....	George S. Hillyer.....	43
	John W. Clark.....	1
State representative.....	William Hicks.....	45
	William B. Wade.....	45

Tally-list complete.

The certificate is correctly filled, and signed as follows :

JOHN W. CLARK, }
T. H. ELLIOTT, } *Judges.*
JAMES FRAZER, }

ATKINSON MARTIN, }
W. S. COWAN, } *Clerks.*

NINTH DISTRICT—*Pleasant Hill Precinct.**Poll-list.*

1 Asbery Kessler	24 David Ransier
2 Jacob Brown	25 Samuel Brown
3 Charles Buzbee	26 Joseph Nichols
4 Leonard Buzbee	27 Henry Ransier
5 Lewis Hoover	28 William Nichols
6 William Hicks	29 Hugh Nichols
7 Richard S. Bunke	30 W. B. Wade
8 Nathan Adams	31 Byron Stewart
9 G. B. Hall	32 Francis Jinks
10 Lewis Remiathe	33 T. L. Pooler
11 John Remiathe	34 James Dempsey
12 John Bucbee	35 Francis Claywell
13 Wm. Carpenter	36 David Trip
14 Nathan Cory	37 Jesse W. Attleberry
15 Zebulon Buzbee	38 John Rippeton
16 Henry Hovener	39 Philip Kessler
17 Nathan Griffith	40 James Ransier
18 Aaron Cook	41 Franklin Elijah
19 John Brown	42 James Stephenson
20 William C. Walker	43 William Duck
21 Jesse F. Collins	44 Matthew Robinson
22 James Griffiths	45 William Tillason
23 E. Bainter	

The certificate is properly filled, and signed as follows :

G. B. HALL,	} <i>Judges.</i>
LEWIS HOOVER,	
NATHAN ADAMS,	

RICHARD S. BUNKER, *Clerk.*

Tally-list.

Governor.....	Charles Robinson.....	42
	W. Y. Roberts	2
Lieutenant governor.....	W. Y. Roberts	43
	M. J. Parrot	2
Secretary of state.....	P. C. Scuyler.....	43
	C. H. Holladay.....	2
Auditor.....	G. A. Cutler.....	43
	W. R. Griffith	2
Treasurer	J. A. Wakefield.....	43
	E. C. K. Garvey.....	2
Attorney general.....	H. Miles Moore.....	45
Supreme judge.....	S. N. Latta.....	43

	M. F. Conway.....	43
	M. Hunt.....	43
	G. W. Smith.....	2
	L. W. Johnson.....	2
	J. A. Wakefield.....	2
Reporter of supreme court.....	E. M. Thurston.....	43
	S. B. McKenzie.....	2
Clerk of supreme court.....	S. B. Floyd.....	45
Public printer.....	J. Speer.....	43
	R. G. Elliott.....	2
Representative to Congress.....	Mark W. Delahay.....	44
State senator.....	G. S. Hylier.....	45
State representative.....	Wm. Hicks.....	45
	Wm. B. Wade.....	44

Tally-list complete.

The certificate is correctly filled, except that R. G. Elliott received two votes which are omitted, and signed as follows:

G. B. HALL,
NATHAN ADAMS, } *Judges.*
LEWIS HOOVER,

RICHARD S. BUNKER, } *Clerks.*
NATHAN CORY,

NINTH DISTRICT—*Hardville Precinct.*

Poll-list.

1 S. G. Hull	4 John W. Sperback
2 Joseph Hayne	5 Calentine Newell
3 John H. Newell	6 James H. Ross

The certificate is correctly filled, and signed as follows:

V. F. NEWELL,
JOHN W. SPERBACK, } *Judges.*
JOHN H. NEWELL,

JAMES H. ROSS, *Clerk.*

Tally-list.

Governor	Wm. Y. Roberts.....	6
Lieutenant governor.....	Wm. J. Parrott.....	6
Secretary of state.....	C. H. Holliday.....	6
Auditor	W. R. Griffith.....	6
Treasurer	E. C. R. Garvey.....	6
Attorney general.....	H. Miles Moore.....	6
Supreme judge.....	Geo. W. Smith.....	6
	S. W. Johnson.....	6
	S. N. Latta.....	6

Reporter supreme court.....	S. B. McKensie.....	6
Clerk supreme court.....	S. B. Floyd.....	6
Public printer.....	R. G. Elliott.....	6
Representative to Congress.....	M. W. Delahay.....	6
State senator.....	Thomas Jenner.....	6
State representative.....	Vincent D. Cohee.....	6
	Hiram Hanse.....	6

Tally-list complete.

The certificate is correctly filled, and signed as follows :

P. F. NEWELL,	} Judges.
JOHN H. SPERRBAK,	
JOHN H. NEWELL,	

JAMES H. ROSS, *Clerk.*

NINTH DISTRICT—*Helena Precinct.*

Poll-book.

1 W. D. Barrett	7 H. N. Riley
2 T. K. Phillips	8 Charles Wilson
3 Wilson Alby	9 R. F. Sheuris
4 D. C. Dysert	10 A. B. Anderson
5 John Brown	11 Jacob Rees.
6 A. D. Simmons	

Tally-list.

Governor.....	C. Robinson.....	11
Lieutenant governor.....	W. Y. Roberts.....	11
Secretary of state.....	P. C. Scuyler.....	11
Treasurer.....	J. A. Wakefield.....	11
Judge of supreme court.....	S. N. Latta.....	11
	M. T. Conway.....	11
	M. Hunt.....	11
Attorney general.....	H. Miles Moore.....	11
Auditor.....	G. A. Cutler.....	11
Public printer.....	John Speer.....	11
Clerk supreme court.....	S. B. Floyd.....	11
Reporter supreme court.....	E. M. Thurston.....	11
Representative to Congress.....	M. W. Delahay.....	11

There is but one certificate for the poll-book and tally-list, which merely certifies the returns are correct.

NINTH DISTRICT—*Crooked Creek Precinct.**Poll-book.*

1 Richard Hull	6 Anthony Hass
2 Simpson Conner	7 Mathias Carriger
3 Simeon Hill	8 Henry Hendenhall
4 G. T. Donaldson	9 John Waddle
5 Alpha Simmons	10 F. A. Crobarger.

Certificate not filled.

Tally-list.

Governor.....	Charles Robinson.....	10
Lieutenant governor.....	W. Y. Roberts.....	10
Secretary of state.....	P. C. Scuyler.....	10
Auditor.....	G. A. Cutler.....	10
Treasurer.....	J. A. Wakefield.....	10
Attorney general.....	H. Miles Moore.....	10
Supreme judge.....	S. M. Latta.....	10
	M. F. Conway.....	10
	M. Hunt.....	10
Reporter supreme court.....	E. M. Thurston.....	10
Clerk supreme court.....	S. B. Floyd.....	10
Public printer.....	John Speer.....	10
Representative to Congress.....	Mark W. Delahay.....	10
State senator.....	G. Hilliar.....	10
State representative.....	William Hicks.....	10
	William B. Wade.....	10

Tally-list complete.

The certificate is correctly filled, and signed as follows:

SIMEON HULL,
G. J. DONALDSON, } *Judges.*
ALPHA SIMMONS,

JOHN YOCUM,
HENRY HENDENHALL, } *Clerks.*

TENTH DISTRICT—*St. Joseph's Bottom.**Poll-book.*

1 Duvet Grover	7 Peter Gerarly
2 Samuel Siler	8 Matthew Isles
3 James M. Groom	9 Eugene Vagil
4 Absalom Grooms	10 James M. Cotten
5 Richard Henly	11 John M. Curtis
6 Adam Leven	12 Enoch Bartlett

13 Sam Shelton	32 William Newman
14 James Kendell	33 E. S. Dans
15 James Curtis	34 Florean Leber
16 William Keaten	35 Thomas Steward
17 John T. Broicly	36 D. Largler
18 William O. Duly	37 S. V. Jamison
19 Charles Richter	38 George Bryan
20 George Alexander	39 Henderson Smallwood
21 Philip Kleppel	40 B. Harding
22 E. S. Weaver	41 Charles Stewart
23 William High	42 John Tretman
24 J. D. Hyper	43 Charles Acres
25 J. F. Lambert	44 James O. Riley
26 J. W. Privett	45 Asbery Fraser
27 James Lavens	46 Walter Smith
28 Elihu Reno	47 Lewis Bellman
29 James Campbell	48 A. A. Jameson
30 John Rhodes	49 W. A. Howard
31 Tapley Ralph	50 Nelson Abbey.

Certificate correct.

A. LARZELERE,
HENDERSON SMALLWOOD, } *Judges.*
GEO. H. BRYAN,

A. LARZELERE, } *Clerks.*
S. V. JAMESON,

Tally list.

Governor.....	Charles Robinson	49
	W. Y. Roberts.....	1
Lieutenant governor	W. Y. Roberts.....	49
Secretary of state.....	P. C. Schuyler	50
Auditor.....	G. A. Cutler.....	49
	J. K. Goodin	1
Treasurer.....	J. A. Wakefield.....	50
Attorney general.....	H. Miles Moore.	50
Supreme court judges.....	M. F. Conway.....	50
	M. Hunt.....	50
	S. N. Latta.....	50
Reporter supreme court.....	C. W. Thurston.....	50
Clerk supreme court.....	S. B. Floyd.....	50
Public printer.....	John Speer	50
Representative to Congress.....	Mark W. Delahay.....	50
State senator	B. Harding.....	49
	J. M. Erwin	50
State representative.....	John Landis.....	50
	B. B. Martin.....	50
	A. A. Jamerson.....	49

B. Brock.....	50
S. R. Baldwin.....	50
John Handy.....	50

Tally-list complete. Certificate correct, except that the name of S. B. Floyd is put for E. M. Thurston as candidate for reporter to supreme court; and E. M. Thurston for that of S. B. Floyd as candidate for clerk of supreme court. Signed as follows:

A. LARZELERE,
HENDERSON SMALLWOOD, } *Judges.*
GEO. H. BRYAN,

A. LARZELERE, } *Clerks.*
S. V. JAMESON,

TENTH DISTRICT—*California.*

Certificate.

KANSAS TERRITORY, *January 15, 1856.*

The eighteenth election district was held at the house of W. W. Moore, for the following officers for Kansas Territory, namely:

Governor	W. Y. Roberts	31
Lieutenant governor	Charles Robinson	31
Secretary of state	General Wakefield.....	31
Auditor.....	G. A. Cutler.....	31
Congress.....	M. W. Delehay	31
Attorney general	H. M. Moore	31
Judges.....	Latta, Conway, and Hunt	31
State printer	John Speer.....	31
Reporter supreme court	E. Thouston	31
Clerk supreme court	S. B. Floyd.....	31
Senators.....	James M. Irvin	31
	B. Hardin	31
The legislators of this district	Eli Williams.....	16
	J. W. Corman.....	15

We, the undersigned, judges of election, do certify that this is a true statement of the votes polled at this district.

U. H. BLUE,
HIRAM BURGAR, } *Judges.*
THOMAS NEWTON,

G. W. CHASE, } *Clerks.*
H. H. LANHAN,

TENTH DISTRICT—*Jesse Padon's Precinct.*

Poll-book.

1 John Hackman	4 C. Husband
2 P. Wise	5 David McCall
3 Henry Smith	6 John Reeder

7 George Winkles	20 Thomas J. Drummins
8 Wm. Purhel	21 Jacob Inglehart
9 E. W. Short	22 J. W. Welhart
10 Isaac Hamby	23 Simon Bridges
11 J. Padon	24 Jacob Spar
12 Solomon McCall	25 Rudolph Zimmerman
13 John Poe	26 Henry Hurer
14 John Schmith	27 Marcellus Lawins
15 F. T. Robins	28 Amasa Owins
16 Benjamin Winkles	29 John Roach
17 Clifton Jentry	30 William Riley
18 Thomas Strange	31 William Smith
19 E. Painter	

Certificate correct, and signed as follows :

ISAAC T. HAMBY,
JESSE PADON,
SOLOMON McCALL, } *Judges.*

B. WINKLES, }
E. PAINTER, } *Clerks.*

Tally-list.

Governor.....	Charles Robinson.....	27
Lieutenant governor.....	W. Y. Roberts.....	27
Secretary of state.....	P. C. Schuyler.....	27
Auditor.....	G. A. Cutler.....	27
Treasurer.....	J. A. Wakefield.....	27
Attorney general.....	H. Miles Moore.....	27
Supreme judges.....	S. M. Latta.....	27
	M. F. Conway.....	27
	M. Hunt.....	27
Reporter supreme court.....	E. M. Thurston.....	27
Clerk supreme court.....	J. B. Floyd.....	27
Public printer.....	John Speer.....	27
Representative to Congress.....	Mark W. Delahay.....	27
State senator.....	J. Irvin.....	30
	B. Harden.....	27
State representative.....	William Purket.....	29

Certificate correct. Tally-list has the name of S. M. Latta; certificate S. N., the name of the candidate.

ISAAC L. HAMBY,
SOLOMON McCALL,
JESSE PADON, } *Judges.*

B. WINKLES, }
E. PAINTER, } *Clerks.*

TENTH DISTRICT—Iowa Point.

Poll-book.

1 Wm. K. Wilson	20 George Davis
2 Samuel Wilson	21 William Beattie
3 John Means	22 Andrew Moore
4 Patrick McKee	23 Thomas Rains
5 S. K. Thompson	24 John S. Bradley
6 W. G. Wells	25 P. S. Wilmouth
7 Wilson Smith	26 Harrison Baker
8 Aaron Lewis	27 R. H. Terry
9 Samuel Earls	28 A. K. Wentworth
10 Norman Turner	29 Henry Parker
11 John S. Gamble	30 Edward H. Burbants
12 Peter Goode	31 W. McGuire
13 Jacob Schmidt	32 John Edson
14 William Ellis	33 William McAfee
15 M. W. Foster	34 D. S. Chandler
16 Robert Johnson	35 Matthew Young
17 Andrew Stevens	36 Patrick O'Brian
18 S. K. Kirkman	37 M. Raleigh
19 Wilson Shoop	38 Marion Jones

Certificate correct in substance, though not in form, and signed as follows:

	his	} <i>Judges.</i>
	HENRY + PARKER,	
	mark	
	M. YOUNG,	
	JOHN EDSON,	
WM. R. WILSON,	} <i>Clerks.</i>	
H. G. WELLS,		

Tally-list.

Governor	Charles Robinson ..	36
Lieutenant governor	W. Y. Roberts	38
Secretary of state	P. C. Schuyler.....	38
Treasurer.....	J. A. Wakefield.....	38
Judges supreme court.....	S. N. Latta.....	38
	M. F. Conway.....	38
	M. Hunt.....	38
Attorney general.....	H. Miles Moore.....	38
Auditor.....	G. A. Cutler.....	38
State printer.....	John Speer	38
Clerk supreme court.....	S. B. Floyd.....	38
Reporter supreme court.....	E. M. Thurston.....	38
Representative to Congress	Mark W. Delehay.....	38
State senate.....	B. Harding.....	37

J. Irvin.....	38
State representative.....—Purket.....	38

Tally-list complete.

Certificate correct attached to the poll-list.

TENTH DISTRICT—*Palermo.*

Poll-book.

1 B. R. Martin	15 William Briten
2 George Kincade	16 William Mikels
3 William Wilmeth	17 T. M. Lemison
4 Samuel Anderson	18 William Leforgey
5 William Gaines	19 Benj. Sprouse
6 James Morrisey	20 Nathan White
7 Ezra Round	21 J. T. Smith
8 John D. White	22 Mathew Elliott
9 J. J. Anderson	23 Samuel J. McAmev
10 William Chapman	24 Gabriel Gerard
11 Joseph Crote	25 Robert Myers
12 Louis Tay	26 John Hays
13 W. Stelwell	27 L. S. Meeker
14 Nicolas Holms	28 John Jones.

Certificate defective in not stating the number of votes ; otherwise good. Signed as follows :

J. D. WHITE,
J. J. ANDERSON, } *Judges.*
NATHAN WHITE,

JOHN HAYS, } *Clerks.*
EZRA ROUND,

Tally-list.

Governor.....	Charles Robinson.....	28
Lieutenant governor.....	W. Y. Roberts.....	28
Secretary of state.....	P. Schuyler.....	28
Auditor.....	G. A. Cutler.....	28
Treasurer.....	J. A. Wakefield.....	28
Attorney general.....	H. Miles Moore.....	28
Supreme judges.....	S. N. Latta.....	28
	M. F. Conway.....	28
	M. Hunt.....	28
Reporter supreme court.....	E. M. Thurston.....	28
Clerk supreme court.....	S. B. Floyd.....	28
Public printer.....	John Speer.....	28
Representative to Congress.....	Mark W. Delehay.....	28
State senator.....	Jas. M. Irvin.....	28

	B. Harding.....	28
State representatives	B. R. Martin.....	28
	A. A. Jamison.....	28
	John Landes.....	28
	B. Brock.....	28
	S. R. Baldwin.....	28
	John Hanly.....	28

Tallies complete. Certificate correct, except that it omits to state the votes received by S. N. Latta, M. F. Conway, and M. Hunt, for judges of the supreme court; and John *Hanly*, in the tally-list, is called John *Hamby* in the certificate. Signed as follows:

	J. D. WHITE,	} Judges.
	J. J. ANDERSON,	
	NATHAN D. WHITE,	
JOHN HAYS,	} Clerks.	
EZRA ROUND,		

TENTH DISTRICT—*Wolf River.*

Poll-book.

1 E. P. Richardson	19 Joseph Mathess
2 W. M. Doolittle	20 Jacob Girwell
3 Henry Ulch	21 Chester Searl
4 James Lovine	22 J. Hoboy
5 Syrus Baldwin	23 Frederick Dickerson
6 Isaac French	24 James Mathess
7 E. F. Andrews	25 Alfred Stout
8 J. A. Johnson	26 George Gooth
9 A. J. Manier	27 J. M. Rice
10 John S. Beeler	28 Francis Purket
11 Isaac Perkins	29 J. H. Jolly
12 S. R. Baldwin	30 Thomas Fichew
13 Robert H. McAlpin	31 Wm. D. Beeler
14 Alexander Loe	32 Geo. W. Smith
15 G. B. Spinning	33 James Glenn
16 James Gerwell	34 B. F. Lilley
17 Nathan Springer	35 W. H. Baylis
18 Bolivar Beeler	36 Elisha Bowen

Certificate correct, and signed as follows:

	ISAAC PERKINS,	} Judges.
	JOHN S. BEELER,	
	JOHN A. JOHNSON,	
ISAAC PERKINS,	} Clerks.	
E. F. ANDREWS,		

Tally Certificate.

The tally-list is not made out. The certificate is filled as follows :

We, the judges and clerks of election, hereby certify, upon our oaths, that for governor, Charles Robinson had 36 votes; that for lieutenant governor, W. Y. Roberts had 36 votes; and that for secretary of state, P. C. Schuyler had 36 votes; that for auditor, G. A. Cutler had 36 votes; that for treasurer, J. A. Wakefield had 36 votes; that for attorney general, H. Miles Moore had 36 votes; that for judge of the supreme court, S. N. Latta, M. T. Conway, M. Hunt, had 36 votes; that for reporter of the supreme court, E. M. Thurston had 36 votes; that for clerk of the supreme court, S. B. Floyd had 36 votes; that for public printer, John Speer had 36 votes; that for representative in Congress, Mark W. Delahay had 36 votes; that for State senator, B. Harding had 36 votes; J. M. Ervine had 35 votes; that for the house of representatives, Wm. Baylis had 36 votes, &c., as in the printed form. Signed as follows :

ISAAC PERKINS,
JOHN A. JOHNSON, } *Judges.*
JOHN S. BEELER,

ISAAC PERKINS, } *Clerks.*
E. F. ANDREWS,

TENTH DISTRICT—*Doniphan.*

Poll-book.

1 Alexander Vineyard	17 Thomas Best
2 G. A. Cutler	18 Wm. P. Irwin
3 Thomas S. Collins	19 Wm. Pochges
4 B. G. Cady	20 Quincey Bell
5 Lyman Oaks	21 Luther Dickerson
6 James W. Collins	22 Wm. Stephenson
7 Lyman W. Oaks	23 Landon Transon
8 George Wright	24 A. Dunn
9 Peter Gary	25 Taster Tastenson
10 Theron Hacker	26 B. R. Wilwar
11 John Landis	27 Norman Alexander
12 W. Davis	28 Thomas Cook
13 Wm. Lancaster	29 George Kleesholder
14 John McRee	30 William Hall
15 John McNemee	31 John H. Whitaker
16 D. W. Field	32 O. E. Socks

Certificate correct, signed as follows :

T. J. COLLINS,
WM. P. IRWIN, } *Judges.*
WM. A. LANCASTER,

THERAN TUCKER, } *Clerks.*
JOHN MCKEE,

Tally-list.

Governor.....	Charles Robinson.....	32
Lieutenant governor.....	W. Y. Roberts.....	32
Secretary of state.....	P. C. Schuyler.....	32
Auditor.....	G. A. Cutler.....	31
Treasurer.....	J. A. Wakefield.....	32
Attorney general.....	H. Miles Moore.....	32
Supreme judge.....	M. F. Conway.....	31
	M. Hunt.....	32
	S. N. Latta.....	31
Reporter to supreme court.....	E. M. Thurston.....	32
Clerk to supreme court.....	S. B. Floyd.....	32
Public printer.....	John Speer.....	32
Representative to Congress.....	Mark W. Delchay.....	32
State senator.....	James M. Irvine.....	30
	B. Harding.....	30
State representative.....	John Lundis.....	28
	B. R. Martin.....	27
	B. Brock.....	28
	A. A. Jamieson.....	29

Tally-list complete ; certificate correct, and signed as follows :

T. J. COLLINS,
WM. P. IRWIN, } *Judges.*
WM. A. LANCASTER,

THERON TUCKER, } *Clerks.*
JOHN MCKEE,

TENTH DISTRICT—*Burr Oak.*

Poll-book.

1 Daniel Bowman	13 J. W. More
2 Valentine Gunselman	14 Steven Presson
3 John Meaky	15 Patrick Tindal
4 B. H. Brock	16 Abs. Shults
5 J. P. Harper	17 Thomas Bell
6 John Hack	18 Amos P. Young
7 Ch. Hack	19 Mathew Ward
8 C. H. Rogers	20 J. M. Hartman
9 John Lovel	21 Henry Gocke
10 Sol. Calvin	22 John Lieb
11 Wm. B. Sharp	23 Godfrey Gummig
12 Henry Wilson	24 Thomas McUllock

Certificate correct, and signed as follows :

HENRY WILSON,
JOHN LOVEL, } *Judges.*
CHARLES H. ROGERS,

WILLIAM B. SHARP, } *Clerks.*
SOLOMON CALVIN,

Tally-list.

Governor.....	Charles Robinson.....	24
Lieutenant governor.....	W. Y. Roberts.....	24
Secretary of state.....	P. C. Schuyler.....	24
Auditor.....	G. A. Cutler.....	24
Treasurer.....	J. A. Wakefield.....	24
Attorney general.....	H. Miles Moore.....	24
Supreme judge.....	S. N. Latta.....	24
	M. F. Conway.....	24
	M. Hunt.....	24
Reporter to supreme court.....	E. M. Thurston.....	24
Clerk to supreme court.....	S. B. Floyd.....	24
Public printer.....	John Speer.....	24
Representative to Congress.....	Mark W. Delehay.....	24
State senator.....	James M. Irvin.....	24
	B. Harding.....	24
State representative.....	B. H. Brock.....	24
	B. R. Martin.....	24
	A. A. Jamerson.....	24
	S. R. Balwin.....	24
	J. Hamby.....	24
	John Landis.....	24

Tally-list complete ; certificate correct, and signed as follows :

	HENRY WILSON,	} <i>Judges.</i>
	JOHN LOVEL,	
	CHARLES H. ROGERS,	
WM. B. SHARP,	} <i>Clerks.</i>	
SOLOMON CALVIN,		

ELEVENTH DISTRICT—*Mount Pleasant Precinct.*

Poll-book.

1 Joseph Potter	13 John S. Quinett
2 Hiram Quinett	14 J. M. Edings
3 J. W. Evans	15 W. C. Quinett
4 Geo. Harman	16 J. H. Campbell
5 J. B. Laird	17 Wm. Pebler
6 A. W. Prabler	18 Ben Pay
7 John Harman	19 James McManama
8 Thomas S. Henson	20 P. McNamama
9 A. S. Speak	21 Archibald McNamama
10 D. E. Jones	22 J. L. Jones
11 A. J. Cox	23 J. C. Redgeway
12 B. F. Edwards	24 Henry Clime

25 H. C. Jones	35 Wm. Martin
26 G. Bladget	36 John Miller
27 W. H. Nichols	37 John Strain
• 28 E. P. Zimmerman	38 Joel Martin
29 J. Robinson	39 A. T. Musser
30 H. R. Gale	40 James Hesman
31 M. Wilkins	41 C. Senbough
32 E. Skerilaugh	42 M. Greenbough
33 J. W. Stephens	43 Wm. Martin
34 T. M. Potter	44 M. Berry

Certificate properly filled, and signed as follows :

	W. MARTIN,	} <i>Judges.</i>
	T. M. POTTER,	
	JOHN MILLER,	
JOHN STRAIN,	} <i>Clerks.</i>	
J. T. MASSER,		

Tally-list.

Governor.....	Charles Robinson.....	42
	W. Y. Roberts.....	1
Lieutenant governor.....	W. Y. Roberts.....	42
	M. J. Parrott.....	1
Secretary of state.....	P. C. Schuyler.....	42
	C. K. Holliday.....	1
Auditor.....	S. A. Cutler.....	42
	W. R. Griffith.....	1
Treasurer.....	J. A. Wakefield.....	42
	E. C. K. Garvey.....	1
Attorney general.....	H. Miles Moore.....	43
Supreme judge.....	S. N. Latta.....	42
	Geo. W. Smith.....	1
	M. F. Conway.....	42
	S. W. Johnson.....	1
	M. Hunt.....	42
	J. A. Wakefield.....	1
Reporter supreme court.....	E. M. Thurston.....	42
	S. B. McKenzie.....	1
Clerk supreme court.....	S. B. Floyd.....	43
State printer.....	John Speer.....	42
	R. G. Elliot.....	1
Representative to Congress.....	M. W. Delahay.....	43
State senator.....	D. E. Jones.....	36
	J. F. Hathway.....	6
State representative.....	John D. Jones.....	27
	E. R. Zimmerman.....	43
	J. W. Stevens.....	3
	W. T. Barnett.....	42

Luther Knox.....	35
J. C. Ridgeway.....	20
Wm. Crosby.....	43

Tally-list complete.

Certificate properly filled, and signed as follows:

W. MARTIN,
F. M. POTTER, } *Judges.*
JOHN MILLER, }

JOHN STRAIN, } *Clerks.*
JOSEPH T. MUSSER, }

ELEVENTH DISTRICT—*Monticello Precinct.*

Poll-book.

1 David Haley	19 Johnson Myers
2 W. L. Johnson	20 J. K. Gobble
3 John Fulk, jr.	21 Samson Gobble
4 M. Kinkaid	22 N. P. Stearnes
5 A. K. Fulk	23 R. R. Clark
6 John House	24 S. P. Smith
7 M. L. Crittenden	25 H. Atkins
8 J. P. Mooney	26 J. Anderson
9 John Fulk, sr.	27 J. D. Caldwell
10 Amon C. Savage	28 W. Butler
11 T. L. Crane	29 H. Fulk
12 Charles Richardson	30 A. C. Brown
13 John P. Woodward	31 J. H. Perry
14 Charles C. Johnson	32 R. Knox
15 J. M. Vance	33 P. Woodward
16 Spartan Ray	34 John Smith
17 J. K. Lawrance	35 A. C. Jones
18 T. R. Martin	

Certificate correctly filled, and signed as follows:

JOHN HOUSE,
DAVID HELEY, } *Judges.*
WILLIAM L. JOHNSON, }

JOHN FULK, } *Clerks.*
CHAS. RICHARDSON, }

Tally-list.

Governor.....	Charles Robinson.....	3
	W. Y. Roberts.....	32
Lieutenant governor	W. Y. Roberts.....	3
	M. J. Parrott	32
Secretary of state.....	P. C. Scuyler	3

	C. K. Holliday.....	32
Auditor	G. A. Cutler.....	3
	W. R. Griffith.....	32
Treasurer	J. A. Wakefield.....	3
	E. C. R. Garvey	32
Attorney general	H. Miles Moore..	35
Supreme judge	S. N. Latta.....	3
	G. W. Smith.....	32
	M. F. Conway	3
	S. W. Johnson	32
	M. Hunt.....	3
	J. A. Wakefield.....	32
Reporter to supreme court	E. M. Thurston	3
	S. B. McKenzie.....	32
Clerk supreme court	S. B. Floyd.....	35
Public printer	John Speer	3
	R. G. Elliott.....	32
Representative to Congress	M. W. Delahay	35
State senator	D. E. Jones	30
	J. F. Hathaway	5
State representatives	John D. Jones.....	27
	E. K. Zimmerman.....	35
	John W. Stephens.....	35
	Wm. Crosby.....	35
	Wm. T. Barnet.....	25
	A. C. Ridgeway.....	1

Tallies complete.

The certifiante is correctly filled, and signed as follows :

JOHN HOUSE,
DAVID HELEY, } *Judges.*
W. L. JOHNSON,

JOHN FULK,
CHAS. RICHARDSON, } *Clerks.*

TWELFTH DISTRICT—*Wyandott.*

Poll-book.

1 John H. Davis	11 George Spybuck
2 Jacob Heck	12 Russia Choplog
3 John Lewis	13 Isaac P. Driver
4 William Jonsin	14 George Whitewing
5 John Batuist	15 Jacob Whitewing
6 John Solomon	16 Aaron Ellar
7 James Armstrong	17 Jacob Ulrick
8 Smith Nicholas	18 William Ruffe
9 Samuel Bigringer	19 John Brumback
10 Math. Mudenter	20 Stephen F. Henderson

21 C. D. Henderson	29 Robert Robertaille
22 Isaac B. Hoover	30 Matthew Splitlog
23 Ebenezer Zane	31 Isaac Zane
24 Benjamin Ulrich	32 Jacob Byers
25 Henry S. Messinhimer	33 Abalard Guthrie
26 David Longnecker	34 R. M. Ainsworth
27 Daniel Holsinger	35 Ethan Bigarms
28 Squire Grayeyes	

Tally-list.

Governor.....	A. H. Reeder	1
	Charles Robinson	1
	W. Y. Roberts.....	1
Lieutenant governor.....	W. Y. Roberts.....	34
Secretary of state	P. C. Schuyler.....	35
Auditor.....	G. A. Cutler.....	35
Treasurer.....	J. A. Wakefield.....	35
Attorney general.....	H. Miles Moore.....	35
Supreme judge.....	S. N. Latta.....	35
	M. F. Conway.....	35
	M. Hunt.....	35
Reporter supreme court	E. M. Thurston.....	35
Clerk supreme court.....	J. B. Floyd.....	35
Public printer.....	John Speer	35
Representative to Congress.....	Mark W. Delehay.....	1
State senator.....	J. H. Dennis.....	35
	J. C. Green.....	35
	Jacob Ulrich.....	33
State representative.....	Jacob Byer	34
	M. Mudeater	35
	R. P. Brown.....	35
	James Todd	35
	J. K. Edsill.....	35
	R. M. Ainsworth	32
	William Pennock.....	35
	Isaac Cody.....	35
	F. G. Byrd.....	35

Tally-list complete.

Certificate correct, and signed as follows :

ABELARD GUTHRIE,	} <i>Judges.</i>
MATTHIAS SPLITLOGS,	
JOHN LEWIS,	
DANIEL HOLSINGER,	} <i>Clerks.</i>
JOHN BRUMBACK,	

SIXTEENTH DISTRICT—*Leavenworth.**Poll-book.*

1 J. K. Elsard	47 W. Wallace
2 Wm. H. Hipsley	48 J. T. Wallace
3 G. Gosling	49 J. E. Wallace
4 H. M. Hook	50 John Fisher
5 Wm. Morgan	51 A. Deetz
6 B. Jennings	52 A. M. Lattis
7 F. Silkman	53 J. W. Shumner
8 John C. Gorman	54 W. Biren
9 A. Stewart	55 Ludwig Wax
10 J. H. Doyle	56 Edward Cook
11 S. J. Anthony	57 Thomas Smith
12 R. B. Roberts	58 John G. Gosen
13 George Russell	59 John Lener
14 G. M. Fisher	60 John Hugner
15 A. F. Kile	61 N. Miller
16 N. Sage	62 Martin Smith
17 J. D. Ross	63 John Stineburgh
18 G. W. Gordran	64 Henry Straw
19 W. Wakefield	65 George Leister
20 C. F. Cumer	66 George Odel
21 W. Cornman	67 John New
22 C. Bennett	68 ——— Futts
23 S. P. Patte	69 T. T. Sclocum
24 F. Quentet	70 L. Echelberry
25 W. Asher	71 W. Jones
26 H. C. Fields	72 P. Flanery
27 J. S. Wheatly	73 T. C. Shoemaker
28 C. Zidus	74 M. McGrew
29 H. M. Moore	75 T. Flanery
30 C. H. Pearce	76 W. L. Dresser
31 Paul Rohr	77 James Silly
32 T. C. McKee	78 J. E. Grant
33 Noah Saverton	79 J. W. Barber
34 A. C. Gates	80 D. W. Lane
35 W. T. Marvin	81 William Perie
36 T. Luce	82 Jerry Kain
37 John T. Luce	83 Wm. R. Rutler
38 B. Luce	84 G. H. Wilson
39 Charles P. Wiggins	85 R. A. Allen
40 Dr. S. Norten	86 John Heany
41 M. Norten	87 George Keller
42 C. Harris	88 L. B. Snow
43 A. Fisher	89 F. E. Burd
44 N. McCracken	90 Sampson Miller
45 J. Howell	91 S. Edwards
46 W. H. Rhoda	92 John Fossett

93 Samuel Vareles	128 Michael Shay
94 Henry Wells	129 James Shay
95 Amos Graff	130 D. M. Griffith
96 John Glutspur	131 F. T. Dancesen
97 Lewis Gillspeer	132 Samuel G. Green
98 Gustus Subnler	133 ——— Linekin
99 Henry Bleill	134 B. F. Bly
100 Merrit E. Merry	135 J. A. Vanduewel
101 Joseph Valmen	136 A. F. Palmer
102 Patric Welsh	137 F. C. Stephens
103 Howel Clutsen	138 Jacob Hughes
104 John Cary	139 H. C. Lee
105 Emanuel Latworth	140 John Robinson
106 Andrew Smith	141 W. F. Ellaghan
107 Joseph Alchimer	142 William Gibby
108 Philip Krag	143 Augustus Meacham
109 Lewis Shults	144 William Crogan
110 George A. Hancock	145 Eugene Carty
111 E. W. Haskell	146 George Lenhart
112 Sebastian Gill	147 John G. Grant
113 Henry Fruell	148 John Frankhend
114 S. W. Woods	149 Frederick Welsh
115 John Rafferty	150 John Collins
116 J. J. Maccommon	151 W. Alexander
117 John Liss	152 James Dawson
118 John Billing	153 W. Pierce
119 Charles Tanbrunt	154 Andrew McClean
120 Isaac C. Lester	155 James Sky
121 Patric Lyons	156 Andrew Hogan
122 James Neville	157 John Dawson
123 John Hamilton	158 James King
124 S. Hasbrook	159 Peter McDill
125 James Measan	160 Patrick Woods
126 Thomas Gilman	161 Thomas Bishop
127 Jonathan K. Davis	162 T. J. Campbell

The certificate omits to state the number of votes. Signed as follows:

H. M. HOOK, }
T. J. CAMPBELL, } *Judges.*

G. GOSLING, }
THOMAS BISHOP, } *Clerks.*

Tally-list.

Governor	Charles Robinson	94
Lieutenant governor	W. Y. Roberts	94
	M. J. Parrott	7
Secretary of state	P. C. Schuyler	94
	C. K. Holliday	7
Auditor	S. A. Cutler	94
	W. R. Griffith	7

Treasurer	J. A. Wakefield.....	94
	E. C. K. Garvey.....	7
Attorney general.....	H. Miles Moore.....	101
Supreme court judges.....	L. N. Latta	101
	M. F. Conway.....	94
	M. Hunt	94
	Geo. W. Smith.....	7
	S. W. Johnson.....	7
Reporters supreme court	E. M. Thurston	94
	S. R. McKenzie.....	7
Clerk supreme court.....	S. B. Floyd.....	101
Public printer.....	John Speer.....	94
	R. S. Elliott	7
Representative to Congress.....	Mark W. Delehay	100
State senator.....	D. Dodge.....	162
	Wm. Pennock.....	162
	H. M. Hook.....	162
State representative	T. A. Maynard.....	162
	Adam Fisher.....	162
	J. K. Edsaul.....	162
	S. Sharks.....	162
	Isaac Cody.....	161
	R. P. Brown.....	162
	George Gosling	162
	L. P. Patte.....	162
	T. J. Canfield.....	162

Certificate correct, and signed as follows :

H. M. HOOK, }
T. J. CAMPBELL, } *Judges.*

G. GOSLING, }
THOS. BISHOP, } *Clerks.*

SIXTEENTH DISTRICT—*Easton.*

Poll-book.

1 David Dodge	15 Martin Clark
2 Edward Beckner	16 David Brown
3 Thomas Tritt	17 Harrison D. Patteson
4 H. J. Adams	18 Adam Brown
5 Thomas Shiply	19 L. D. Bedgood
6 G. R. Hunts	20 K. L. Jessee
7 Levi White	21 Henry Ogle
8 J. C. Green	22 Embry Cortny
9 G. A. Taylor	23 Zachariah Sparks
10 R. P. Brown	24 Mathew Rolston
11 Samuel Horton	25 Josiah Dark
12 John Trett	26 Jesse Piles
13 James Renfuth	27 Wm. R. Tubbs
14 Wm. Peacock	28 Samuel Dark

29 Amaziah Sparks	53 Clark Tritt
30 John A. Lawyer	54 R. B. Pennock
31 Joseph Hicks	55 Wm. Butt
32 B. F. Hicks	56 Chester Feney
33 Thomas Pearson	57 P. Dowland
34 Moses Sparks	58 Philip Becker
35 Stephen Sparks, jr.	59 Joseph Pennock
36 George Swain	60 Andrew Nixon
37 Wm. Pennock	61 Wm. Sparks
38 S. G. Robeson	62 John Sparks
39 C. C. Linville	63 Patrick R. Orr
40 D. L. McMichael	64 Wm. Hayes
41 Wm. McDonald	65 Wm. Martin
42 John Poe	66 Robert Whitehead
43 James Comstock	67 Joseph Elliott
44 C. W. Lucas	68 Terry Crutchfield
45 J. H. Bird	69 Atchison Campbell
46 Columbus C. Crane	70 Charles S. Foster
47 Thomas A. Minard	71 Henry C. Sutton
48 Joseph T. Wright	72 D. D. Bolt
49 John Wright	73 Jas. H. York
50 Francis Browning	74 Samuel Bixley
51 Stephen Sparks	75 Robert Knight
52 Wm. Rose	76 Wm. M. Bohart

The blanks in the certificate are not filled. Signed as follows:

FRANCIS BROWNING,
JOSEPH T. WRIGHT, } *Judges.*
JOHN WRIGHT,

JOSEPH H. BIRD, }
T. W. LUCAS, } *Clerks.*

Poll-list to supply a vacancy.

1 Thos. A. Minard	14 F. W. Hendrick
2 Martin Klein	15 W. R. Tubbs
3 Simeon Hull	16 Joseph Hicks
4 J. B. Taylor	17 W. M. Bathurst
5 Daniel Shipley	18 Levi White
6 Wm. Rose	19 D. S. McMichael
7 Moses Hicks	20 John Trett
8 John Chadwick	21 Henry Sutton
9 Jas. H. Yorke	22 H. D. Patterson
10 J. W. Comstock	23 John Strain
11 Daniel Nickson	24 P. R. Orr
12 Chester Jerry	25 Wm. Sparks
13 C. C. Lenville	

The certificate to the number of votes is correct. The judges further certify that Patrick R. Orr received the whole twenty-five

votes for representative, in the place of R. P. Brown, deceased.
Signed as follows:

	JOHN W. HENDRICK,	} <i>Judges.</i>
	WELLAR J. R. TUBBS,	
	D. S. McMICKLE,	
JOSEPH HICKS,	} <i>Clerks.</i>	
C. C. LINVIL,		

Tally-list.

Governor.....	Charles Robinson	66
	W. Y. Roberts	6
Lieutenant governor	W. Y. Roberts	66
	Parrot.....	7
Secretary of state.....	P. C. Schuyler.....	66
	C. K. Holliday	7
Auditor	G. A. Cutler	66
	W. R. Griffith.....	7
Treasurer.....	J. A. Wakefield.....	65
	E. C. K. Garvey.....	8
Attorney general.....	H. Miles Moore.....	73
Supreme judge.....	S. M. Latta	73
	G. W. Smith.....	7
	M. F. Conway	66
	S. W. Johnston	7
	H. Hunt.....	66
Reporter to supreme court.....	E. M. Thurston	66
	S. B. McKenzie	7
Clerk to supreme court	S. B. Floyd.....	73
Public printer.....	John Speer	66
	R. G. Elliott.....	7
Representative to Congress.....	Mark W. Delehay	73
State senator.	J. C. Green.....	67
	Pennock.....	1
	H. J. Adams.....	67
	J. H. Dennis.....	60
	David Dodge.....	14
State representative.....	Wm. Pennock	72
	David Dodge.....	2
	J. K. Edsaul.....	73
	Stephen Sparks.....	73
	J. Berger	59
	Dr. Patte	72
	R. P. Brown.....	73
	S. J. Campbell.....	73
	T. H. Misnard.....	74
	G. Gosling.....	6
	Mathew Madeator.....	57
	A. Fisher.....	14
	Isaac Cody.....	14

Blank certificate not filled. Signed as follows:

FRANCIS BROWNING,
JOSEPH T. WRIGHT, } *Judges.*
JOHN WRIGHT,

JOSEPH H. BIRD, } *Clerks.*
C. W. LUCAS,

SEVENTEENTH DISTRICT—*Mission Precinct.*

Poll-book.

1 John Owen	7 John H. Osborne
2 Henry Wilson	8 John Lockhart
3 Calvin A. Conatzer	9 William Tipton
4 Samuel M. Conatzer	10 Richard N. Pearson
5 Lewis Dougherty	11 William F. Harvey.
6 George L. Osborne	

Certificate correct, and signed as follows:

GEO. L. OSBORNE,
SAMUEL M. CONATZER, } *Judges.*
LEWIS DOUGHERTY,

JOHN H. OSBORNE, } *Clerks.*
JOHN LOCKHART,

Tally-list.

Governor	Charles Robinson	10
Lieutenant governor	M. J. Parrott.....	9
	W. G. Roberts	1
Secretary of state.....	P. C. Schuyler	10
Auditor.....	S. A. Cutler	10
Treasurer	J. A. Wakefield.....	10
Attorney general	H. Miles Moore	10
Supreme judge	S. N. Latta	10
	Morris Hunt	10
	M. F. Conway	10
Reporter supreme court.....	E. M. Thurston	10
Clerk of supreme court.....	Scott Anthony	9
Public printer.....	John Speer	10
Representative to Congress	Mark W. Delehay.....	10
State senator	Wiley Jones	2
	Perry Fuller	9
State representative	Samuel Mewhenney	10
	John Lockhart	11
	S. W. E. Griffith	1
Clerk supreme court	S. B. Floyd.....	1

Certificate correct, and signed as follows:

GEO. L. OSBORNE,
SAM'L M. CONATZER, } *Judges.*
LEWIS DOUGHERTY,

JOHN H. OSBORNE, } *Clerks.*
JOHN LOCKHART,

BLANK FORMS.

Form of oath.

We,
do swear that we will perform our duties as judges of the election, to be held at the house of _____, in the _____ election district of the Territory of Kansas, to the best of our ability and judgment; that we will keep a true, correct, and faithful record or list of all persons who shall vote at said election; that we will poll no ticket from any person who has not been an actual resident of the said Territory for thirty days nextpreceeding said election, and whom we shall not honestly believe to be a qualified voter, according to the provisions of the constitution formed at Topeka, and signed the 12th day of November, 1855; and that we will truly count and record the votes received, and make a true and faithful return thereof to the chairman of the executive committee of Kansas Territory.

Sworn and subscribed, January 15, 1855, previous to opening the polls, before us.

_____ } *Judges.*

_____ } *Clerks.*

Poll-book of electors who voted at an election held on the 15h day of January, A. D. 1856, at precinct, in District No. , in Kansas, for governor, lieutenant governor, secretary of state, auditor, treasurer, attorney general, three supreme judges, reporter of the supreme court, clerk of the supreme court, public printer, representative to Congress, and senators and representatives to the general assembly of the State of Kansas.

No.	Names of voters.	No.	Names of voters.

We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that the whole number of votes cast at an election held at _____ precinct, in Kansas, on the 15th day of January, A. D. 1856, for State officers, representative to Congress, and members of the general assembly, to be in number _____; and we further certify that the said voters were *bona-fide* citizens of the United States, of the age of twenty-one years and upwards, and actual residents of Kansas for thirty days immediately preceding said election.

_____ } *Judges.*

_____ } *Clerks.*

Tally list of votes cast at an election held on the 15th day of January, A. D. 1856, at precinct, in District No. , in Kansas, for the election of State officers, a representative in Congress, and members of the general assembly of the State of Kansas.

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We, the undersigned, judges and clerks of election, hereby certify upon our oaths, that for governor, had votes; that for lieutenant-governor, had votes; that for secretary of State, had votes; that for auditor, had votes; that for treasurer, had votes; that for attorney-general, had votes; that for judge of the supreme court, had votes; that for reporter of supreme court, had votes; that for clerk of the supreme court, had votes; that for public printer, had votes; that for representative in Congress, had votes; that for State senator, had votes.

And we do further certify, that the said electors were bona-fide citizens of the United States, of the age of twenty-one years and upwards, and actual residents of Kansas for thirty days immediately preceding said election.

 _____ } *Clerks.*

 _____ } *Judges.*

EMIGRANT AID SOCIETY AND EMIGRATION IN MARCH, 1855.—CAUSES OF
EXCITEMENT IN MISSOURI.—SECRET SOCIETIES.

DANIEL MACE called and sworn.

To Mr. Oliver:

Immediately after the passage of the Kansas-Nebraska act, I, together with a number of others, who were members of Congress and senators, believing that the tendency of that act would be to make Kansas a slave State, in order to prevent it, formed an association here in Washington, called, if I recollect aright, "The Kansas Aid Society." I do not remember all who became members of that society, but quite a number of members who were opposed to slavery in Kansas, of the lower House, and also of the Senate, became members of it, and subscribed various sums of money. I think I subscribed either \$50 or \$100; I am not now prepared to say which.

We issued a circular to the people of the country, of the northern States particularly, in which we set forth what we believed were the dangers of making Kansas a slave State, and urged that steps be taken to induce persons from the north, who were opposed to slavery, to go there and prevent its introduction, if possible. We sent a great many circulars to various parts of the United States, with that object, and also communications of various kinds. I do not now remember what they were. The object was to have persons induced to go to Kansas who would make that their home, and who would, at all elections, vote against the institution of slavery.

I think Mr. Goodrich, of Massachusetts, was the president of the society. I am not certain about the vice-presidents; probably Mr. Fenton, of New York, and myself, were vice-presidents. The names of the president and vice-presidents were attached to our circulars, which we sent throughout the country.

My recollection is, that generally, those members of the House and Senate who were opposed to the Kansas-Nebraska act became members of this society, and contributed to it.

The leading primary object of the association was to prevent the introduction of slavery into Kansas, as I stated during the short session of Congress, in answer to a question propounded to me by yourself, I believe. We believed that, unless vigorous steps of that kind were taken, Kansas would become a slave State. I do not remember the caption of the subscription paper. I think no other object was mentioned or specified, except the prevention of slavery in Kansas. I think that was the sole object of the movement.

I do not recollect whether Mr. Speaker Banks was a member of that society or not, or whether Senator Seward was or not. Mr. Goodrich kept the books. My impression is, that a majority of those who voted against the bill were members of that organization. I do not

remember the total amount of money raised by means of that organization. We had a room here, and employed a secretary, and consequently had expenses to pay. I do not know the amount raised. I think there were persons, members of that association, who were not members of either house of Congress. Mr. Latham was appointed treasurer, but declined; and my impression is, that Mr. Blair became the treasurer; but I may be mistaken about that.

DAN'L MACE.

WASHINGTON CITY, *July 1, 1856.*

CHARLES ROBINSON sworn.

To Mr. Reeder :

On the morning of the 30th of March, 1855, I was at Topeka, but arrived here in Lawrence shortly after dinner, and remained here the rest of the day. Between here and Tecumseh I met with a crowd of persons, strangers to me—perhaps 200 or so. I first came into the Territory in July, 1854. I did not come here permanently until about the first of September. On the day of election, when I reached here, I found a large encampment, and quite a crowd around the polls. I went into the camp. I do not know as I was previously acquainted with any of the party in the camp. They made no secret about coming from Missouri, but claimed they had a right to control this Territory, and that northern men had no right here. At the polls, Mr. Willis was along for the purpose of voting, having refrained up to that time; and he was assailed by a crowd who got about him and called him a damned abolitionist, and negro thief, &c., and cried out to hang him. After some excitement and apparent danger of violence, Mr. Willis got away. There was nothing else during the balloting, but the crowd in the evening threatened destruction to us, and it was considered necessary to have a guard here of a hundred men. These men had arms in their camps, shot-guns and common rifles; and side-arms, mostly bowie-knives and revolvers. Many had heavy hickory sticks. Quite a number left the day of election; some remained until the next morning. There was but one party came from the east that spring under the auspices of the Emigrant Aid Society, and arrived in Kansas City about a week before the election. There were between 160 and 170, including women and children. I returned to the Territory with that party. They came here and settled, so far as I know. They settled principally at Topeka, though some went to different parts of the Territory. They met the committee of their own number at this place on the day of election, they having been sent out to select a place. A few of that party went home, some in a few days, some in a few weeks, who were dissatisfied with the Territory. The principal part of the party are here now. Some came out here to look at the country, and intended to return; but none of them voted, to my knowledge. I do not think one-fourth of the party who determined to stop in the Territory voted here. I do not know of anybody who did vote,

but I know many who said they would not vote until they knew positively where they were to locate.

To Mr. Sherman:

I counted up this morning, with the assistance of my wife, the number of the women and children who came out, and we made out over fifty. We came out with them. I should think there were as many as twenty-five women.

Cross-examined by Mr. Oliver:

I did not hear anything said, in the disturbance with Mr. Willis, about his interfering with a negro woman. He was there for the purpose of voting when he was assailed. I was in the encampment, and heard them say they had a right to control the Territory, but did not understand them to say they had a right to vote because these eastern men came here to vote.

APRIL 26, 1856.

C. ROBINSON.

Mr. Oliver objects to any evidence as to what the witness heard others say as to their objects in visiting this Territory, and insists that persons who did vote are competent witnesses, and should be subpoenaed.

CHARLES ROBINSON recalled.

To Mr. Reeder:

I arrived at Kansas City about a week before the election of the 30th of March, 1855, and arrived here the day of the election, having made a tour of the southern portion of the Territory. Since I testified before, I have seen the list of passengers who came out at that time, and the women and children amounted to 66—32 I think were women, and 34 were children. I left Boston, I think, about the 13th of March.

To Mr. Sherman:

That was the only company under the auspices of the Emigrant Aid Company, that had come out that spring up to that time.

To Mr. Reeder:

I first heard of the election at St. Louis, but think I did not then hear the exact day of the election. I heard it from Dr. Leib, whom I met at St. Louis. We could not hear before I left Boston when the election was to be. I was then in Boston nearly a week in the office of the Emigrant Aid Society. They had no intelligence in relation to the time of election before I left.

C. ROBINSON.

LAWRENCE, K. T., *May 1, 1856.*

SAMUEL C. SMITH called and sworn.

To Mr. Reeder:

I arrived in the Territory on the evening of the 29th of March,

1855, and settled over on the Wakarusa, some two miles south of the Blue Mound, and from seven to nine miles from Lawrence, and have resided there ever since. I was one of a party under the arrangement of the Emigrant Aid Society. The only arrangement I made of them was to purchase a ticket at the office of the company from Boston to Kansas City. I purchased the ticket in connexion with some half a dozen others from Cambridge, Massachusetts. We got tickets somewhat less than we otherwise could, and an agent came out with us. Beside this, we had no advantage, except associating with a larger number who were coming out, which was more pleasant than coming alone. No questions were asked, or promises required, in regard to my political opinions, or as to the place where I would settle in the Territory. Our party was the first party that came out that spring under their arrangements. There was no party under the auspices of that company that reached here before we did that spring. We left Boston on Tuesday, the 13th of March, 1855. There were somewhere between one hundred and fifty and two hundred men, women, and children, in our party. There were a number of families with us, and I should think there were over fifty women and children, but I cannot state exactly. All of the party, I have no doubt at all, were persons who came to the Territory for purposes of settlement. There are a great many who have settled about this place—some at Topeka, and some in other parts of the Territory. A few of them returned before coming into the Territory at all, coming no farther than Kansas City. A few returned after stopping one night in the Territory, and before the election. I know of two who returned on the Sunday succeeding the election. I first heard the election was to take place in the latter part of March, on the Monday morning of our arrival in St. Louis. There was no earlier intelligence of the matter in our party, that I know of. I was acquainted with some of the officers of the Emigrant Aid Society. I did not hear of their having any knowledge of the time of the election before I left. I have been engaged in farming, and that is what I term my occupation here.

SAMUEL C. SMITH.

LAWRENCE, K. T., *May 1, 1856.*

BENJAMIN SLATER called and sworn.

I reside in St. Louis, Missouri, and my business is that of commission and forwarding. I have been engaged in that business for some four years. I have resided in this city, off and on, since 1837. I was acting as agent for the New England Emigrant Aid Society in March, 1855; my office being in the same building as Mr. F. A. Hunt. My arrangement with that company was nothing more than to engage the passage of all persons who came out under their care, from this place to Kansas City, at a price not to exceed \$10 each. So far as I know, the society did not pay for the expenses of the passengers, but each one paid for himself. All the society did, so far as I understood,

was to get tickets through from Boston to St. Louis for twenty-five per cent. less than ordinary rates. Each passenger paid his own fare at the reduced rate. I do not know that the Emigrant Aid Society received any benefit at all from the reduced rates.

There were but two parties that went out under the care of that society in the month of March, 1855. One party was under the care of Dr. Charles Robinson, consisting of one hundred and fifty-nine passengers, leaving St. Louis on the steamer Sonora, March 26, 1855. The other party was under the care of John Farwell, consisting of one hundred and forty passengers, leaving St. Louis on the steamer Kate Sweaney, March 26, 1855. I learned afterwards of Captain Chouteau, of the Kate Sweaney, that he was some two weeks getting up to Kansas City. In each party there were quite a number of women and children. In Dr. Robinson's party there were something like thirty or forty children, but I do not remember the number of women in his party. I know that Robinson's party had a great many trunks, &c., and a large quantity of baggage was paid for as extra baggage, after allowing one hundred pounds of baggage to each passenger. The extra baggage was paid for at prescribed rates, each passenger paying for his own baggage.

There were other emigrants from eastern, northern, and southern States, going up the river that spring. I was not applied to by any of these emigrants during March, 1855, to make similar arrangements to that made with regard to the aid emigrants.

The baggage of the aid emigrants was marked with a printed card, so as to designate it, thus: "Kansas party baggage—care of B. Slater, St. Louis." I saw no cards on the baggage with the name of Eli Thayer on them, and think I should have seen them if they had been on any of the baggage. The object of the mark I have mentioned was to facilitate and secure the transportation of the baggage. Many of the trunks left on the way were identified by this mark, and afterwards forwarded to me here.

The river was uncommonly low that season, and for that reason many of the boats could not run, and those that did run could not take much freight. Many of the boats ran aground, and scarcely a boat went up without running aground before she reached her destination. The winter had been an open one, and emigration set in earlier than usual. Some mill machinery for several mills was sent to me that spring, and forwarded by me to Kansas Territory. There was also a large amount of furniture consigned to me that spring for forwarding. The furniture was mostly in boxes—some old and some new boxes, and, as far as I could see, were such as would be likely to be sent out here by movers.

The other emigrants I have spoken of were not connected at all with the Emigrant Aid Society, but travelled on their own account: sometimes in companies, and sometimes in scattered small parties. They would come here sometimes by boat, and sometimes by railroad: and the runners of the Missouri river boats would go after them, and make arrangements for them. I made no arrangements myself for any parties in March, but the two I have named, though I did subsequently.

I never wrote a letter to E. W. Brown, the editor of the *Herald of Freedom*, Lawrence, Kansas Territory, in which I stated there were from six hundred to eight hundred eastern emigrants on their way up the river, and would be up in time for the election, and three hundred of them would be at Lawrence at the election of the 30th of March, 1855. I never wrote him any letter of the kind. I may have written a letter to Brown, stating the number of some particular party then on their way out.

My connexion with the Emigrant Aid Society was purely of a business character. I never received any salary from them, but received from them merely the regular commission, as I did from others. I was not their agent in any other sense than that of a commission merchant. I rendered them only the same services that I did to other parties for whom I transacted commission business.

B. SLATER.

ST. LOUIS, MISSOURI, *June 12, 1856.*

F. A. HUNT called and sworn.

My occupation is that of a forwarding and commission merchant. I have been engaged in business in St. Louis for nearly five years past. I have heard the testimony of Mr. Benjamin Slater, just taken. During the month of March, 1855, Mr. Slater held a desk in our office, and, I think, in the following April he became a partner in our firm, then called F. A. Hunt & Co. Mr. Slater was the passenger agent of the Emigrant Aid Society during March, 1855, and afterwards F. A. Hunt & Co. became their agents.

I recollect the party of Dr. Robinson, and also that of John Farwell, which left here for Kansas City that March. There were no other aid emigrant parties that went up that month.

The preceding winter had been a very open one, and the river was then unusually low for the season of the year. There was other emigration from different States during the month of March; much, I think, from Ohio. They came generally in small detached parties. They made their own bargains, and got up to Kansas City as cheaply as they could. The regular fare from here to Kansas City was, at that time, \$12. They generally had to pay the regular fare, unless they came in large parties.

Subsequently to March, 1855, other parties of aid emigrants came out here, and we made arrangements for them. The arrangement made by the society was to obtain passage for the emigrants to this place at a reduction of 25 per cent., and we generally obtained tickets for passengers up from here to Kansas City at \$2 less than the usual rate. The emigrants received the full benefit of the reduction in both cases; in all instances paying their own expenses at the reduced rates. I know of no instance when the Emigrant Aid Society ever paid a dollar of the travelling expenses of emigrants.

While I acted as agent for the Aid Society there was frequently shipped to me furniture and other property of a similar character. It was consigned and forwarded as usual in all cases of forwarding,

being addressed to the individual to whom it was sent in Kansas, in our care at this place. On this we collected the customary commissions regulated by the chamber of commerce of this city, and that was the only compensation we received for our services. They shipped several steam-engines, some mill machinery, &c., to us, as also household furniture, which was sent to individuals in the Territory in our care.

I first learned from the St. Louis papers of the fixing of the day of election in March, 1855. I received no information in relation to that matter from the Emigrant Aid Society, or any person connected with that society. The coming of these parties of emigrants had nothing to do with the election, so far as I know. I never knew of the Aid Society sending any persons out here merely to vote. From all I could learn from the society, and from the conversation of the emigrants, their sole object in going to Kansas was merely to seek homes and to better their condition. I know that some of these emigrants returned; and the only reason they gave to me for doing so was, that the country was new, and they had not means enough to support themselves until they could make a living there.

F. A. HUNT.

ST. LOUIS, Mo., *June 12, 1856.*

W. H. CHICK called and sworn.

To Mr. King:

I reside at Kansas City, Missouri. My business is that of commission merchant. The first steamboat that came up the river in 1855 was, I think, on March 6th, and most of the emigrants were from the east. During that month, before the 30th of March, there were as many as 500 emigrants came. There were very few women and very few children among them. Most of them came without any apparent implements of husbandry, but with carpet-sacks and trunks. The most of the sacks and trunks were marked "Kansas party baggage," and consigned to "B. Slater, St. Louis." I always understood him to be the commission merchant to whom the Emigrant Aid Society of Boston made their consignments. Gen. Pomeroy generally attended to their business at Kansas City. He was the agent of the society. He told me, if his clerk came to my place to make arrangements to store baggage, it would be the same as if he did it himself.

In the spring of the year there is a great deal of business done in Kansas City, in the way of furnishing implements of husbandry to the country west of there. These emigrants made but few purchases of agricultural implements. I do not know that they made any; and, as far as I know, they went into the Territory without supplying themselves with any.

I heard several of them say that they knew of the day of election in the east, a month before we did out here. If I recollect right, the proclamation came out somewhere between the 10th and 15th of March, and this was the first notice the people of the Territory had.

I could not state how many of this class of emigrants went back after the election, as I kept no record of it. Common talk was, that as many went back as came out, but I do not know this; but I know a great portion of them went back, and there was a greater rush going back immediately subsequent to the election than any time after it. I don't know that the trips going down in April were as good as coming up in March, but there was a greater rush of people, whom I took to be emigrants, down in April than at any subsequent time in the spring.

The steamer Lucas got aground somewhere near Boonville in the month of March, and some of the passengers came up in hacks. They said they were anxious to get into the Territory before the election. I could not say if any of these men returned or not, as they were all strangers. They said they left part of their company on the boat, because they could not get hacks. I understood they were under the auspices of the Emigrant Aid Society, but I don't know it from them. The Lucas did not get up to Kansas City until after the election. I think some of those who came up in the Lucas went back from that city without going into the Territory.

Something like a hundred of eastern emigrants, who were taken to be under the auspices of the Emigrant Aid Society, wintered at Kansas City. A great portion of these went over into Kansas immediately before the election. They went over as transient men, as most of them were back in a few days after the election. I heard some of them say they were going over to the election. I did not hear them say they were going to vote.

Some of these emigrants who came up in March left their carpet-sacks and trunks at Kansas City, and went into the Territory, and returned and took their baggage and went down the river. After Whitfield's election in November, 1854, several hundreds of eastern emigrants returned down the river.

The agents of the Emigrant Aid Company paid a part of the bills for storing, &c., and I understood from some of the emigrants that their passage had been engaged from St. Louis. The most of these emigrants who came up in March desired to make arrangements with me to take buffalo-robcs, and return them in a few weeks and receive back half-prices; which I declined to do, but sold some to them.

To Mr. Sherman :

I don't know whether or not the eastern people who wintered in Kansas City paid their own way. I don't know of anybody paying anything for them, and the provisions they bought of me they paid me for. I know that a great many settlers on both sides wintered in the States, for the want of facilities in the Territory, as I understood it. That winter was a remarkably open one. I think the river broke up the last of February, or first of March, that spring. I know that saw-mills have been sent out marked the same as the baggage—some that spring, and some have been coming ever since. There is a record of the number of boats that came up that spring; I have it in my office at Kansas City, and without it cannot state the number.

W. H. CHICK.

LEAVENWORTH CITY, K. T., *May 27, 1856.*

MILTON J. PAYNE called and sworn.

To Mr. Whitfield:

I reside in Kansas City, Missouri, and resided there previously to the 2d of March, 1855, and left then and went to New Mexico, and did not get back till the 22d of April. Navigation of the Missouri was not opened when I left. I do not remember of seeing any persons returning from Kansas after I returned.

The Emigrant Aid Company kept an agent in Kansas City—Samuel C. Pomeroy; he seemed to be the general agent of the Boston Emigrant Aid Society. I have seen a great deal of machinery there sent to Pomeroy, as agent of this society. I was informed by Mr. Jenkins that he had sold the American Hotel to Mr. Pomeroy for the Emigrant Aid Society; and by Mr. Hoad, a tenant of the hotel under Pomeroy, that he was negotiating with Pomeroy for the purchase of it; and was afterwards informed by Mr. Eldridge that he was the purchaser of the hotel from Mr. Pomeroy. Common report was that the Emigrant Aid Society had this hotel there to afford facilities to emigrants to this Territory, and that their object was to make this a free State; and it was a common rumor that Reeder delayed fixing the day of election in order to allow the society time to send out these emigrants to vote, and the Missourians determined, if that was done, to come over and vote to counteract it.

The time for the election was not known, to my knowledge, when I left for New Mexico. The Missourians got excited, and said they would take part in the election if, as they expected, there should be extraneous interference by the Aid Societies with the affairs of this Territory. It was the general rumor that they intended to make this a free State, and then interfere in the affair of slavery in Missouri.

I did not notice the baggage particularly that came to Kansas City, except in some few instances. I have seen placards on the hats of the emigrants, designating the aid company to which they belonged from northern and eastern States. Many of these emigrants had Sharpe's rifles. I refer to last summer, after the election, as I do not remember to have seen any arms on them till then. I noticed Sharpe's rifles and some side-arms. They generally stopped at the American Hotel, to a man, I believe. I am speaking now of emigration after I got back from New Mexico. The time that it was rumored that Mr. Pomeroy came in possession of the American Hotel was in September or October, 1854. I do not remember that these aid emigrants commenced coming before that time (September, 1854).

To Mr. Howard:

I never heard a free-State man in the Territory or elsewhere say that their object was to interfere with the institutions of Missouri, but only to make Kansas a free State. I have heard an eastern man, a resident of the Territory, say that if he should meet a slave who wanted to escape, he would lend him his horse to ride to the north star. I think this man's name was Burriss, or Burroughs, and he lived, I think, on the Wakarusa, or near Lawrence. He said this in the store of Northup & Chick in Kansas City, in January or February, 1855, when I myself, Mr. Chick, Mr. Threlkeld, and others were present.

I do not know Mr. Burroughs's first name ; I cannot give his full name, only as Burroughs or Burriss. He lived, as he said at the time, near Lawrence, or on the Wakarusa, as far as I can recollect. He said he came from Iowa. When we speak of eastern men, we mean all from free States. I do not know that that man was ever in Iowa or in Kansas Territory, only from his own statements. I never saw him except at Kansas city, where I have seen him two or three times. He came to use such an expression, by being got into a discussion about slavery. He told us then he was from Iowa, but not when he came from Iowa, or into the Territory, and I think at that particular time he said he resided in the Territory ; on Wakarusa, or near Lawrence.

It was the fear of Missourians generally, so far as I know, that there would be interference with the institutions of Missouri, if Kansas became a free State ; and this fear, so far as I know, was confined to Missouri. I account for the rumor getting into circulation in one way—in consequence of E. W. Brown, editor of the *Herald of Freedom*, writing a letter to Wm. Walker, the provisional governor of this Territory, that one of his objects in coming here was to make this a free State. I suppose the basis of the rumor was, that similar results were expected to flow from Kansas being a free State, as flowed to Kentucky in consequence of being bordered by free States ; not that the people of Kansas really intended to interfere directly with the institutions of Missouri. I heard Missouri people say, that in case the day of election was postponed by Governor Reeder, to give these emigrant societies time to send emigrants here to control the election, they would take steps to counteract it ; and many declared their purpose to take claims for the purpose of making their votes legitimate. I do not think I ever heard one say he had come over here and voted. The excitement was all over when I returned. These Missourians thought it would be illegal for the eastern people to come out here merely to vote, and then return ; but if the eastern people did that, they would have a right to do the same ; my reasoning being, that two wrongs made a right. I understood that the manner of counteracting the Emigrant Aid Society was to get up similar societies, and assist poor and young men to come here and take claims for the purpose of settling and making Kansas a slave State.

As well as I remember, the conversation I have referred to, with Mr. Burriss, took place in January or February, 1855—perhaps December, 1854—certainly before I went to New Mexico.

M. J. PAYNE.

LEAVENWORTH CITY, K. T., *May 21, 1856.*

HENRY M. BLOSSOM called and sworn.

To Mr. King:

I was clerk on the *Polar Star* on the Missouri river, during the spring of 1855. We brought up all classes of emigrants before the 30th of March, 1855; and one or two parties who represented them-

selves as coming out under the auspices of the Emigrant Aid Society of Boston. Some of them had emigrant aid tickets, or tickets which they said they purchased of the Emigrant Aid Society's agent in Boston; others were in a manner consigned to Mr. Slater, their agent in St. Louis, and he made arrangements for them to come up. We never had as many as a hundred in any one of those parties. We brought up more than a hundred in the month of March, from the eastern States. They had generally carpet-sacks, occasionally trunks, and occasionally boxes with movables. But they had no farming implements or any stock that I saw.

We brought up our party and landed them at Kansas City a few days before the election, and they talked very freely about voting. There was one gentleman in that party who expressed his regrets to me that a great many eastern emigrants would be delayed till after the election. I did not have much conversation with any of them. When we had any very considerable number together, they were very free to say that they would make Kansas a free State, if it could be done; that there would be a very large eastern emigration, and they had no doubt, that Kansas would be a free State. That was the current talk among them; but there was nothing very definite about it.

There was a great deal of going back from the Territory in the month of April. We brought up one party of 12 men who expected to get to the Territory sooner than they did, but we did not land them at Kansas City until after the 30th of March, and we took them down with us when we came back on that trip. It was a notorious fact, that there was a great deal of returning emigration from the Territory in the month of April, of all classes, but mostly eastern emigrants, as most of the emigration that spring during the month of March was eastern emigrants. We brought up one party of eastern emigrants with their families in the month of March, the only party of that kind we brought up; but they were independent of the Aid Society. Those under the auspices of the Emigrant Aid Society on our boat had comparatively few women and children with them. Many with whom I talked said they had left their families in the east, and had come out here to see how they liked the country; if they liked it, they would have their families out here, but they did not like to run the risk of bringing their families out with them then. Those returning in the month of April were comparatively the same kind of emigration as those we took up. We took comparatively very few eastern emigrants on our boat, and we took back as many as we brought up.

To Mr. Oliver:

The emigration that spring was not as generally armed as the emigration the fall before. In the spring, about every third man had a rifle. I do not recollect, in any conversation I had with the eastern emigrants, that they said they came out here, but would not live in Kansas if it was not a free State. We took up comparatively few emigrants from the east on our boat, as we would not make the deduction from the price of their passage that their agent in St. Louis required, which was two dollars and fifty cents for each person; of

which 50 cents a head went to the agent. That arrangement could only be made with inferior boats, where they had inferior fare; and, no doubt, that was the cause of their great complaint about their bad treatment on the Missouri river.

To Mr. King:

The agents in St. Louis, either F. A. Hunt or B. Slater, generally paid the fare of the eastern emigrants up the river. The eastern aid emigrants were in a manner consigned to these agents in St. Louis.

To Mr. Sherman:

Q. When one man acting as the agent for others pays the fare and travelling expenses of a company of persons, each person, however, contributing his share of those expenses, and only adopting the mode of having a common paymaster, to cheapen their fare and expenses, does that in your opinion constitute a consignment?

A. When the Massachusetts Emigrant Aid Society send out upon their tickets to a recognised commission merchant and agent in St. Louis a company of men with their baggage, it would in my opinion seem to partake somewhat of the nature of a consignment, and the parlance of steamboat men in such cases was, that "a consignment of Yankees have arrived." In answer to the question put to me, I have to say that I do not consider the case an assignment.

We made two trips in the month of March that spring before the 30th of March.

H. M. BLOSSOM.

STEAMBOAT POLAR STAR, *Missouri river*, June 10, 1856.

NATHAN ADAMS called and sworn.

By Gov. King:

I was a resident of the State of Massachusetts. Came to the Territory in October, 1854, from Provincetown, in that State. As a means of getting to the Territory, I wrote a letter to the agent of the Emigrant Aid Society in Boston, inquiring the advantage it would be to me to go to Kansas under their auspices, or going on my own responsibility. I heard that my passage would cost me some eight or ten dollars less by going under that company. I had a letter from the agent, but it is in possession of my wife, who is now in New Bedford, Massachusetts. I had also a printed circular that came with the letter, and all the information I had about that society was contained in the letter and circular.

Q. Will you state if, in any arrangement sought to be made with the Emigrant Aid Company to get to Kansas under their auspices, a pledge was not exacted from you, when you got to Kansas, to give your votes and use all your influence to make Kansas a free State; and that they declined to aid any man here who would not give that pledge; and if you did not decline to come under their auspices, solely upon that ground?

[Before the witness was allowed to answer the foregoing question, Mr. Sherman propounded the following question:

Q. Had you any communication from, or did you attempt to make any arrangement, with the Emigrant Aid Society, except by the letter and circular referred to?

A. I received no other communication from them, except the letter and circular above referred to.

Q. By Gov. King.—Are you willing, and will you state to the committee that you will write to your wife at New Bedford, Massachusetts, immediately, to forward the letter in her possession, above spoken of, to the committee at Washington?

A. I will do so immediately, if so requested by the committee.

The witness is requested by the committee to have the letter forwarded, with the assurance that it would be received in evidence.

The committee exclude parol evidence of the contents of these papers, and overrule the question put by Gov. King.]

Witness resumes.—I did not come out under the auspices of the Emigrant Aid Society.

NATHAN ADAMS.

LEAVENWORTH CITY, K. T., *May* 31, 1856.

JOHN E. INGALLS called and sworn.

By Mr. King:

I am a native of Massachusetts, and came to Missouri in November, 1854. While in Massachusetts I resided 2½ miles from Boston, and was somewhat acquainted there. I conversed with Mr. Webb, the agent of the Emigrant Aid Society, concerning the advantages I should have in coming out here under their auspices, and what they would expect from me as an emigrant. I was often in the office of the society. The object in helping the emigrants to come here was to have them vote their ticket—the free-State ticket. They would make some arrangement by which they could get here cheaper than by themselves, and would help them all they needed after they got here. The understanding was, that they would help none but those who would vote their ticket. I did not come under their auspices, but came along with a company that did come under their auspices. After we got on the Missouri they wanted me to join them, but I would not do so. I did not intend, when I started, to come any farther than St. Louis. I knew some of the company who came out here. All those who remained were free-State men; but when they got on the river, and were asked to join the society, those who had money went back, as they had become disgusted with the society. Some of them got as far as Kansas City, and then turned back; and some got into the Territory. I do not think 25 of the party who came along then remained here, and I believe there would be hardly one left if they had money to get back. There were some from Massachusetts who would not join the society, and who never intended to take any part in the society, and who went off by themselves up the Fort Riley way, and

I have never heard of their going back. Those who had no money to get back went to Lawrence.

Q. Will you state that, among those emigrants who came out from Massachusetts at or about the time you did, and who have been unable to return, and who came under the auspices of the Emigrant Aid Society, whether or not, under their agreement with the Emigrant Aid Society, they are not under their control, and by their destitution made subservient to their will, in their political movements in the Territory?

A. I do not know further than these persons have told me.

[Mr. Sherman here objects to the declarations of persons as to their condition of destitution or otherwise, and as to their connexion with or subserviency to any persons whatever. After discussion, the objection was overruled.]

Witness continued.—There was a man from Lawrence who wanted to work for me, and said he would come and work for me if he could get his property in Lawrence clear of this society. He afterwards wrote to me, and said he could not come without losing all he had in Lawrence—his lots and house. I do not know any further about the subserviency of these emigrants to the society, and their being obliged by their destitution to remain here, and act as they desired them to do, than what I have here told, as being learned from this man from Lawrence.

A number of emigrants from Massachusetts, who came here clear of the Aid Society, and who avowed that they came here to get homes for themselves, and not for political purposes, I understand have remained in the Territory. I know nothing of the treatment of these men in the Territory, only so far as I have heard them say. I have been kindly treated myself. I know of no one being treated unkindly who minds his own business.

I have been at Lawrence. I have had conversation with Mr. Coleman, a leading free-State man there. This was during the time the difficulties took place there last fall, and while forces were camped on the Wakarusa. Mr. Coleman was talking with me in the public streets, and there were some fifty or more men about us, armed with Sharpe's rifles. He said, if the forces came there to burn down the town, they would be resisted. He asked if the governor had called these forces, and I told him it was so understood here. A strong spirit of resistance was evinced by the people, and they said, if these forces came there, they could stop them. I asked them how many men they had. They said there would be, if they called them, 1,600. They asked how many on the other side. I told them that there were five or six hundred there at the time, and there were more on the way; and there were rumors that there would be 2,000. They wanted to know if the government troops had been called out, and I told them such was the rumor in Missouri. They said, if they were called out, they should not resist them. They said they intended to form a free State constitution, and apply to be admitted as a State; and if they did not succeed in that, they intended to set up independently for themselves. All of them were speaking against the laws; did not like the laws, and would not live under them. All this con-

versation took place while I was in Lawrence, during the war last fall.

To Mr. Oliver :

I did not hear them say at that time, or at any time, that they would directly resist the laws. Some few said they would not obey the laws ; but I did not consider them of any account, even then. I heard none of the leaders say so.

To Mr. King :

I saw some emigrants who came out under the auspices of the Emigrant Aid Society last spring or summer. I saw one of them during the latter part of July, and he said they gave him \$50 and a Sharpe's rifle to come out there. This was a man that came from Salem, Massachusetts. I saw some of the company as they were scattered along, passing through this town. I saw the man I have referred to in the Territory. I asked him if the Aid Society were sending men here now. He said they were, and were doing better by them than they ever had done before ; were giving them \$50 and a Sharpe's rifle. I saw some of these persons have Sharpe's rifle.

To Mr. Sherman :

All the benefit the Emigrant Aid Society would agree to give men when they started was to save expenses, as they could get their fare cheaper by coming along in companies. Each man paid for his own ticket in coming out here. In my opinion, they did not save anything on their tickets. It cost them \$30 for their tickets from Boston to Kansas City. I could have come for the same amount by myself. I cannot, therefore, say that they derived any benefit from the society, and that is the reason why so many became disgusted with them. I think I could have come as cheap, or even cheaper than they did, if I had taken a different route from what they did when these emigrants came to the Territory. They went some to one place and some to another. A great many who came out when I did, in November, 1854, went back again ; some because they did not like the country, some because they did not like the society, some because there were no places for them to live during the winter. I understood from members of the company that the advantage they derived from the society was to have a house provided for them in Lawrence, and means loaned them to get them a house. Mr. Webb, the agent of the society in Boston, told me the company were going on to build in Lawrence, and wanted all the mechanics they could get at \$3 per day. They found when they got here that they could get but \$1 50 per day, and many were dissatisfied at that. Some complained that they had no houses to live in—no settlers for them. It was stated before we left Boston that they had an hotel, which would be done by the time the party reached Lawrence, and that we could get board for not over \$2 50 per week ; it was found to be \$1 25 per day, and that dissatisfied a great many. And for these reasons they left and went back.

I should think the greater portion of the men who came out then were mechanics, who came out for the purpose of getting work and bettering their condition.

The Mr. Coleman I speak of came out from Massachusetts at the same time I did, and was one of the emigrant company coming out at that time. I do not know what paper they signed coming up the river, but I understood that made them all members. I do not think that paper was shown to me, and I do not know what was in it. Coleman told me that he lived three miles above Lawrence. I saw him in this city about six weeks ago; he said he was working on his farm. Farming and teaming was his business last year. He hauled freight and passengers from Kansas City to Lawrence. The last time I saw him he was driving his team.

To Mr. King:

When the society loaned persons money to get their houses or farms, they took mortgages on the property; so the agent told me before I left Boston. He said there was no danger of their failing to preserve their property, as they would have plenty to do.

To Mr. Oliver:

I left Boston on the 17th of October, 1854. The objects of the society were stated in the pamphlet they published and distributed. I talked with the agent in Boston about the society, and I understood that the primary object of the society was to make Kansas a free State. He said nothing about any further objects after Kansas was made a free State.

To Mr. King:

In our conversations he said they could command money and men to make Kansas a free State. Nothing was said about their further operations after they got Kansas a free State. They said nothing about what effect they would accomplish by making Kansas a free State, as regards making other portions of the country free. They said that they had five millions of capital, and that they were acting under an act of the legislature.

JOHN E. INGALLS.

WESTPORT, Mo., *June 6, 1856.*

J. BIDDLESBARGER called and sworn.

I reside at Kansas City, Missouri, and am in the commission business. In the month of March, 1855, there arrived at Kansas City about five hundred emigrants, who I understood came from the east. Most of them were young men, and had carpet-bags, trunks, and guns and pistols, and but few ladies. Generally speaking, when the boats arrived General Pomeroy would go down to the boats and meet the emigrants, and what baggage they could not take care of they usually put in my charge. I did General Pomeroy's business. I understood him to be the president of the Aid Society. We frequently received goods, household furniture, bedding, &c., which were marked to General Pomeroy, but would turn out to belong to other persons,

who would get them. I had no particular conversation with these men. I had a conversation with two gentlemen who came out in March. They brought a lot of cigars, and had them stored with me. They came in the second boat that spring. I cannot say that they belonged to the Aid Society, but my understanding was that all that came that spring, of the character of the emigration that arrived in March, were under the auspices of the Aid Society, and that these two young men were of that character. They asked me to dispose of their cigars, and of two guns and a pistol, as they wanted to go out into the Territory, and would be gone ten days or two weeks. They left Kansas City to go into the Territory two or three days before the election in March. They returned after the election, sold their cigars, and went back east. They said nothing to me about what they had done there. I have heard them state that they knew of the election of the 30th of March in Pennsylvania, and got here before I knew it in Kansas City. A few emigrants who left their trunks and carpetsacks with me when they came to Kansas City and went into the Territory never took them again until they got ready to return down the river, cursing the Emigrant Aid Society and everybody else, and complaining that Slater and others had charged them two or three times as much for their passage and transportation as they had agreed to pay.

Some of our citizens, and I among the number, thought there were as many returning just after the election, and through the month of April, down the river, as had come up, of the same character of men, in the month of March. The American Hotel at Kansas City was purchased by General Pomeroy for the Aid Company. I heard some of the emigrants that came up on the Lucas, which had been aground below, and arrived after the election, say that the captain of the Lucas had agreed to deliver them at Kansas City at a certain time, which would have been in time for them to have gone to the election. I heard them say nothing about the election. There were a great many of them who came to Kansas City before and after the election, who never went any further, but returned.

To Mr. Sherman:

To some extent it is common for the people, not only from the north, but from the south, to be disappointed and then return. The emigration from the north is generally by way of the river, while those coming from the south generally come by land from a southerly direction; and therefore I know more of the returning emigration from the north than the south. The emigration from Iowa and Illinois generally comes by land also. The emigration from the south by the river has been large this spring, and much larger than before. A great many southerners have gone out into the Territory this spring, and I don't know of any that have returned. The southern emigration has generally been in companies, well armed. All the companies, let them come from where they will, north or south, generally come with arms. They look more like going to war than to cultivate the soil. In March, 1855, the emigration was generally without furniture, saw-mills, &c. The river was low, and freight was

high. Through the summer following, and fall, saw-mills, furniture, and agricultural implements came along; but the class of men who came with them were different from those who came in March. They had their families, and looked like men going to work.

I never was in the Territory to vote, and never wanted to go. The day of the March election a boat left Kansas City for Wyandot, and about ten or a dozen got on board, and I understood went to vote, but whether they did or not I don't know. I understood that these emigrants, by coming in companies, got their fare cheaper; and I understood from that, that if they could not pay their fare, Gen. Pomeroy would pay it for them. In this I may be mistaken. Gen. Pomeroy did assume to pay the freight and passage bills of some of them. Our accounts against Gen. Pomeroy for freights of all descriptions, and for passage-money of emigrants, and for property bought by him, and drafts drawn by him on us, amounted to from seven to ten thousand dollars per year, which he paid by drafts on the Emigrant Aid Society of Boston, as we called on him and needed it.

To Gov. King:

The emigration in the spring, summer, and fall of 1855 was chiefly from the northern States. I knew of but little from southern States. The northern emigrants had been coming up the river since the fall of 1854, in companies, and armed with implements of war, such as I have spoken of; and I have known no southern emigrants coming up the river so equipped until this spring.

J. BIDDLESBARGER.

LEAVENWORTH CITY, K. T., *May 27, 1856.*

J. B. EVANS called and sworn.

I reside at Weston, Platte county, Missouri. I came up the river previous to the election of the 30th of March, twice that spring. At one time there was a large lot of emigrants got off at Kansas City—said to be a hundred and fifty of them. There was a large lot of baggage, mostly trunks; some carpet-sacks. They were mostly men; I did not see but a few women among them. Their destination was Lawrence. I was on the boat with them but one day, and had but little conversation with them. Some few days after the 30th of March, I went down the river on the "New Lucy." A company of men got on at Kansas City, of about ninety. I did not hear them say what part of the Territory they were from. They said at different times that they had been in the Territory, and had voted; and my understanding from them was that they were emigrant aid men. They said they came out here, were in the Territory a few days, and voted, and they were returning home. They were western men; but I did not learn particularly what State they were from. They said nothing about their purpose in coming out here. I did not notice any one that I would suppose to be a leader among them.

JAMES B. EVANS.

LEAVENWORTH CITY, K. T., *May 26, 1856.*

MILTON J. PAYNE called and sworn.

To Mr. Whitfield :

I reside in Kansas City, Missouri, and resided there previously to the 2d of March, 1855. I left then, and went to New Mexico, and did not get back till the 22d of April. Navigation of the Missouri was not open when I left. I do not remember of seeing any persons returning from Kansas. After I returned the Emigrant Aid Company kept an agent in Kansas City, Samuel C. Pomeroy ; he seemed to be the general agent of the Boston Emigrant Aid Society. I have seen a great deal of machinery there, sent to Pomeroy as agent of this society. I was informed by Mr. Jenkins that he had sold the American Hotel to Mr. Pomeroy for the Boston Emigrant Aid Society, and by Mr. Hoad, a tenant of the hotel under Pomeroy, that he was negotiating with Pomeroy for the purchase of it, and afterwards informed by Mr. Eldridge that he was the purchaser of the hotel from Mr. Pomeroy. Common report was that the Emigrant Aid Society had this hotel there to afford facility to emigrants to this Territory, and that their object was to make this a free State ; and it was a common rumor that Reeder delayed fixing the day of election in order to allow the society time to send out their emigrants to vote ; and the Missourians determined, if that was done, to come over and vote to counteract it. The time for the election was not known to my knowledge when I left for New Mexico. The Missourians got excited, and said they would take a part in the election if, as they expected, there should be extraneous interference by the aid societies with the affairs of this Territory. It was the general rumor that they intended to make this a free State, and then interfere in the affairs of slavery in Missouri. I did not notice the baggage particularly that came to Kansas City, except in some few instances. I have seen placards on the hats of the emigrants, designating the aid company to which they belong, from northern and eastern States. Many of these emigrants had Sharpe's rifles—I refer to last summer, after the election, as I do not remember to have seen any arms in there till then. I noticed Sharpe's rifles, and some side-arms. They generally stopped at the American hotel, to a man, I believe. I am speaking now of emigration after I got back from New Mexico. The time that it was rumored that Mr. Pomeroy came in possession of the American Hotel was September or October, 1854. I do not remember that these aid emigrants commenced arriving before that time—September, 1854.

To Mr. Howard :

I never heard a free-State man in the Territory, or elsewhere, say that their object was to interfere with the institutions of Missouri, but only to make Kansas a free State. I have heard an eastern man, resident of the Territory, say that if he should meet a slave who wanted to escape, he would lend him his horse to ride to the north star. I think this man's name was Burriss, or Burroughs, and he lived, I think, on the Wakarusa, or near Lawrence. He said this in the store of Northrup & Chick, in Kansas City, in January or February, 1855, when I myself, Mr. Chick, Mr. Threlkeld, and others,

were present. I do not know Mr. Burroughs's first name. I cannot give his full name, only as Burroughs or Burriss. He lived, as he said at the time, near Lawrence, or on the Wakarusa, as far as I can recollect. He said that he came from Iowa. When we speak of eastern men, we mean all from free States. I do not know that that man was ever in Iowa, or in Kansas Territory, except from his own statements. I never saw him, except at Kansas City, where I have seen him two or three times. He came to use such an expression by being got into a discussion about slavery. He told us then he was from Iowa; but not when he came from Iowa, or into the Territory; and I think at that particular time he said he resided in the Territory, on the Wakarusa, or near Lawrence. It was the fear of Missourians generally, so far as I know, that there would be interference with the institutions of Missouri, if Kansas became a free State; and this fear, so far as I know, was confined to Missouri. I account for the rumor getting into circulation in one way—in consequence of G. W. Brown, the editor of the Herald of Freedom, writing a letter to William Walker, the provisional governor of this Territory, that one of his objects in coming here was to make this a free State. I suppose the basis of the rumor was, that similar results were expected to flow from Kansas being a free State, as flowed to Kentucky in consequence of being bordered by free States; not that the people of Kansas really intended to interfere directly with the institutions of Missouri. I heard Missouri people say that, in case the day of election were postponed by Governor Reeder to give these emigrant societies time to send emigrants here to control the election, they would take steps to counteract it; and many declared their purpose to take claims for the purpose of making their votes legitimate. I do not think I ever heard one say he had come over here and voted. The excitement was all over when I returned. These Missourians thought it would be illegal for the eastern people to come out here merely to vote, and then return. But if the eastern people did that, they would have a right to do the same; my reasoning being that two wrongs made a right. I understood that the manner of counteracting the Emigrant Aid Society was to get up similar societies, and assist poor and young men to come here and take claims, for the purpose of settling and making Kansas a slave State. As well as I can remember, the conversation I have referred to with Mr. Burriss took place in January or February, 1855—perhaps December, 1854; certainly before I went to New Mexico.

M. J. PAYNE.

LEAVENWORTH CITY, K. T., *May 21, 1856.*

ALEXANDER GILHAM called and sworn.

To Mr. Whitfield:

I reside in Kansas City, Missouri, and am engaged in mercantile business. I was at home the latter part of March, 1855, just before the elections were to come off in the Territory, on the 30th of March.

There were a great many emigrants arriving at our town about that time, mostly eastern people. I think I can generally tell eastern from western people when I see them. I had a good deal of talk with these emigrants, as I sold goods to them. They said they were going to the Territory. I think there were but few families with them. I sold them a good many buffalo robes and blankets, and in several instances I sold companies of ten or fifteen buffalo robes, and I was asked several times what I would give for them on their return. My answer generally was, that I would give what they were worth. They said they were going to the Territory, and I suppose they meant upon their return from the Territory.

In two or three instances I was told that they were going to the election, and that after election was over they were going to return home. In several instances I would sell for the companies to some one who seemed to be the leader; and it was with these leaders that I had conversation about their coming out here to vote.

I saw a good many of the same persons on their return; some were gone ten days, I suppose, and some longer. A good many of them sold back to me the blankets and robes they had bought of me, and told me they were going home. I did not ask them where their homes were, but I heard them say they were going to Massachusetts and some of the other northern and eastern States. I do not think they had much baggage; a carpet-sack and blanket or buffalo robe was about all they had. I noticed no marks on their baggage that I recollect of. I do not think their baggage looked like that of emigrants who intended to remain here.

I do not recollect of selling them anything except robes, blankets, and provisions. I think after the election they went back as fast as they came before the election.

To Mr. Oliver:

It was but seldom that I saw any women in these companies. I have seen as many as a hundred in a company going out afoot, with nothing but carpet-sacks and buffalo robes or blankets, and averaging in age from fifty down, and having neither women nor children with them. Some of them were armed, and some not. Those who were armed had mostly guns; I think nothing more than that. They appeared to be anxious to get off immediately after leaving the boat; and some expressed an anxiety to reach the place of election before the day of election.

I could only guess as to the amount of that kind of emigration that spring. Nearly every boat brought up a company, from twenty to one hundred. They would almost always go out into the Territory on foot, sometimes with a hired wagon or two to take their baggage. I saw a good many companies going out that way. Those I heard speak, who were members of these companies, and appeared to be leaders, said they were coming to Kansas to vote. I do not think I had any conversation with any who returned after the election in reference to their voting here. I think as many returned as went there.

The emigration that passed up in the spring of 1855 had but few families that I saw, and generally no other baggage than a hand

sack, a buffalo robe, or a blanket. I do not recollect of seeing any trunks at all. There was a general opinion in the State of Missouri that the northern and eastern emigration was coming here merely to vote and make Kansas a free State; and I heard men of Missouri say of the election, they, (the north,) had commenced it and have been beaten at their own game. I heard of the northern men coming here for that purpose both before and after the election. These rumors and the consequent apprehensions created excitement in Missouri, in regard to these elections, and I understood that Missourians went over to counteract this movement of the north and east. I never went myself, but I heard those who spoke of going over there to vote say it was for this purpose.

One or two boats got up after the 30th of March with the same kind of emigration as before, but they were detained on the river. I think the most of them went back; some without leaving town. Ten days after the election this kind of emigration ceased. The river was quite low that spring, and it was difficult for boats to get up the river with freight. I think the river was lower that whole year than I had ever seen it in any one year before.

To Mr. Whitfield:

The most of these people stopped at the American Hotel in Kansas City, when they landed. I do not know, but from rumor, who were the owners of the American Hotel.

To Mr. Oliver:

I think the people of Kansas City would not want the hotel torn down; but there are others in the county who would like to have it torn down, because it was reported that it belonged to the Emigrant Aid Company.

To Mr. Whitfield:

So far as I ever heard any man express his opinion, it was that that hotel belonged to the Emigrant Aid Society, and it was more generally reported as being so than denied.

To Mr. Oliver:

I never heard that contradicted, except by the present keepers, who claimed to own it themselves; and, in consequence of that assertion, I think the people of Kansas City forbore to injure the property.

To Mr. Whitfield:

I think Mr. Eldridge and his brothers who keep the American Hotel in Kansas City, also keep the new hotel in Lawrence.

General Pomeroy has been in our town a good deal, and it was understood that he acted as agent of the Emigrant Aid Society.

To Mr. Howard:

I do not recollect how many boats came up before the election that spring. We had a boat almost daily—sometimes two or three boats—but sometimes only once in two days. I think the first boat came up

on the 20th of March—the Sonora ; but there were no emigrants on her ; nor on the Arabia, which was the next boat.

The most of those who went out to look up claims and squat, usually bought buffalo robes, or blankets, or provisions, to take with them. I think the settlers who first came here from a long distance, came at first without their families, and looked up claims and then located them, and then went back and brought their families. I knew some instances of this class myself. There has been more or less coming and going ever since the Territory was open for settlement.

To Mr. Whitfield:

I never had any proposition, except from the persons I have named, to sell robes before the election, and bring them on their return afterwards. What we term bona-fide squatters have never made any such propositions. I never had persons come to me to buy robes for companies before this time, though we had sold robes to mercantile agents of companies by wholesale.

ALEXANDER GILHAM.

LEAVENWORTH CITY, K. T., *May* 21, 1856.

WILLIAM T. DONALDSON called and sworn.

To Mr. Scott:

I reside in Westport, Missouri, and came here in March, 1850, and have resided here since 1851. I was engaged in the livery-stable business in the spring of 1855, and was in that business in March, 1855. There were a good many eastern emigrants arrived here just before the election in the Territory of the 30th of March, 1855 ; and I took a great many passengers of them up in my hack, which I was running all the time. They were principally all the passengers I had. I do not know that I can say that they told me anything about coming under the influence of the Emigrant Aid Society. There were a good many from Pennsylvania, and a good many from New York and Boston. Some of them told me they came here to vote, and intended to vote. I recollect of one hack load who spoke of voting ; and they seemed to have an idea that the Pro-slavery party would take the polls, and prevent them from voting ; and the exclamation they used was this: "We came here to vote, and we will vote." I think on the 25th of March I sent three carriages with passengers up to the Territory, about twenty in all ; and in a few days after the election I brought a portion of the same men back. After the election I had full loads back, and I would rather at that time take my hack to Lawrence to get a load, than to depend upon getting a load from this place to Lawrence. Some of the men whom I brought back told me they voted. There was a young man I always called "Scotch," because he always called me "Scotch" from the first time I saw him, and I suppose I have taken him up and back twenty times. He always came to me with the parties to make bargains for my hack. He was in the Territory a month ago. I gene-

rally took these eastern emigrants to Lawrence, though I took some to Osawatomie. I think the principal portion of those I took out before the election came back afterwards. Some of these emigrants had trunks, and some had carpet-sacks. I think the most of them had trunks. I had to take a wagon along to take the trunks, as my hacks were full of passengers without any baggage. I do not know as they stated to me where they lived when at home. I generally inquired what States they were from, and they told me without hesitation. I never asked them much about their reasons for coming back, but I have heard them curse the Emigrant Aid Society for deceiving them in getting them out here.

They were not all young men. They seemed to be from twenty-five to forty-five years of age, the most I took out there. Very few of them had families. I have taken families out in the Territory, but in this instance I do not think there were any families along.

WILLIAM T. DONALDSON.

WESTPORT, MISSOURI, *June 7, 1856.*

CHARLES E. KEARNEY called and sworn.

To Mr. King :

I reside in Westport, Missouri, and have resided here for nearly four years. I was in Boston the 21st of February, 1855, and for some days previous. I was purchasing goods there for this market, and in the course of conversation with merchants there, Kansas affairs were introduced. I was inquired of by some when the election would take place, and told them I presumed, from the information I had when I left, that it would take place in April or May. Some of them informed me it would take place earlier than that ; on or about the 30th of March, I think, some of them said. I returned, and was in St. Louis about the 5th of March. I started for home about the 7th, and reached this place about the 12th of March. On my arrival no one in the neighborhood, so far as I know, was aware of the time of the election.

I understood that they were creating an excitement in Boston for the purpose of sending out emigrants under the auspices of the Emigrant Aid Society to make Kansas a free State. I saw numbers of these emigrants on steamboats and railroads as I came along. I had but little conversation with them, except on the boat up the Missouri river. I understood on that boat that one hundred and fifty emigrants, who were behind, were anxious to come up on the boat ; and they offered double passage to be brought up in time for the election. This was my second trip up the river, as I had come up from St. Louis without arranging my business, and had gone back to arrange that, after stopping at home a week or so. I heard nothing in St. Louis from these emigrants. The boat I came up on was crowded with emigrants, some of whom said they were Aid Society emigrants. We left St. Louis before the 30th of March, and at Lexington we heard accounts of the results of the election in some of the districts. The boat made a slow trip. I heard no complaints of

their not being at the election, because when they were at St. Louis they knew they were not in time to be at the election. Some of them on the boat said they had endeavored to get here in time for the election.

My place of residence, Westport, Missouri, is within a half a mile of the Territorial line, and is a great thoroughfare of emigrants into the Territory. My impression, and I am positive of it, is, that such a thing as sending Missourians into the Territory to vote was not dreamed of until those organizations were formed in the east for the purpose of peopling the Territory with people of different opinions on the subject of slavery from those moving into the Territory. My impression still further is, that were it not for the extraordinary efforts of the people in the eastern States to send an emigration at that particular period, and previous to the election, Missourians would have taken no particular interest in the struggle, beyond those who were actually intending to settle in the Territory. There was a generally credited rumor among the Missourians, that the ultimate object of those Emigrant Aid Societies was to surround Missouri with free States, and eventually affect the institution of slavery in Missouri. I had conversation with several of the aid emigrants and free-State men; and the general tenor was, that they intended to first make Kansas a free State, and the result they expected from that would be to make Missouri, Arkansas, and Texas free States; and some even went so far as to say that would be done in fifteen or twenty years.

To Mr. Oliver :

Some of the emigrants who came up on the boat I did were armed. I saw two Sharpe's rifles; others had the usual rifles, and some had pistols. They made no show of them at all, but came up as other emigrants did. There were six or eight women along. This I say in reference to the second trip. The river was lower that spring than usual at that season.

To Mr. King :

After I reached Westport a good number of these emigrants, probably a majority of those I saw on the boat, passed through our town towards the Territory, and were mostly on foot, with carpet-sacks generally in their hands, and with guns of various descriptions; some rifles, &c.

To Mr. Oliver :

There is a great deal of outfitting of implements of husbandry in this place for the Territory, and more done at that season than at any other season of the year. I was in business here myself. I think no such outfitting was made by these eastern emigrants in this town. Occasionally they bought an axe, but not more than that. At that time I believe Kansas City and Westport, Missouri, were the only points near the Territory south of the Kansas river, and in Missouri, where such articles were kept for emigrants.

Cross-examined by Mr. Sherman :

I think it was a merchant with whom I was dealing in Boston, who

told me about the day of election. This merchant was the only person with whom I had a conversation upon the time of election, and the only one I heard in Boston speak of it. When I reached St. Louis there was a difference of opinion as to the day of election; some fixing on one day, and some on another. On my first trip up, we ran aground, but succeeded in getting up to Kansas City on the boat. When I started from St. Louis, I came part of the way by railroad, and the rest of the way by boat.

To Mr. Oliver :

I do not remember noticing the trunks and carpet-sacks of these emigrants, and saw no inscriptions on them that I recollect.

To Mr. Sherman :

I could not state positively that any of these emigrants became actual settlers of the Territory, though I have no doubt some of them have. I saw one of the gentlemen I got acquainted with on his way back with his son. I do not think he came out under the auspices of the Aid Society; at least he told me so.

CHARLES E. KEARNEY.

WESTPORT, MISSOURI, *June 2, 1856.*

E. W. DONALDSON called and sworn.

To Mr. King :

I reside at present in Westport, Missouri. On the 30th of March, 1855, I was travelling passengers from this point to different parts of the country. I commenced about the 15th of March, and up to the 30th of March I carried about 150 to 175 men, besides women and children—altogether perhaps 200. The emigrants I took to Lawrence, some to Lecompton, some to Topeka, and some to Leavenworth City. Some of them told me they came out under the auspices of the Emigrant Aid Society. A good many I asked myself, and some told me voluntarily. They said they came out to vote to make Kansas a free State. During the last week of March I got detained with one load of passengers, who urged me to hurry and get through. This was the second or third day before the election. I never heard many of them say anything about returning. Some few said they did not like the looks of the country between here and Lawrence, and that they would go back home after the election. During the month of April I brought back nearly the same number that I had carried out before. Three of them I knew positively, and knew by sight, I think, some ten or a dozen more, but did not know them by name. Know nothing said by them, that I recollect of, as to what they supposed would be the effect of their movement upon Missouri. The majority of those I carried into the Territory had satchels, some of them had trunks, and some had no baggage of any kind.

E. W. DONALDSON.

WESTPORT, MO., *June 2, 1856.*

E. C. McCARTY called and sworn.

To Gov. King:

I was a resident of Jackson county, Missouri, about five years prior to coming to the Territory, and came to the Territory in March last. The causes of the excitement in the county where I resided was in consequence of the formation of emigrant aid and other societies, for the purpose of sending emigrants here to make Kansas Territory a free State, and the inflammatory publications in the New York *Tribune* and other papers. This was shortly after the passage of the Kansas-Nebraska bill. I do not think there would have been any excitement at all, if free-State men had emigrated here in the usual way, as had always been the case in the settlement of western Territories. It was my feeling, and the feeling of the community in which I resided, that free-State men might come and intermix among us in the Territory in a friendly and social manner, and advocate the policy of making it a free State; and if, in organizing the Territory into a State, they should have the majority, we were prepared to submit to it in peace and quietness. I do not believe there would have been any extraordinary excitement, had it not been for the efforts made, as was universally believed by us, of organized bodies in the free States for the express purpose of coming here to make this a free State. We understood and believed, from the declarations of men of their party who came here, and what we saw in the newspapers, that the ultimate design was to affect the institutions of Missouri and make it a free State. I heard free-State men say that was their design. I do not know whether or not they were Emigrant Aid men, but I formed the opinion that they were, from conversations that I had with them. On one occasion I invited some five Emigrant Aid men to my house. I told them I wanted them to see how Missourians lived, and, as there would be a very great intercourse between the citizens of Missouri and those of Kansas Territory, we ought to live on terms of friendship, and cultivate a feeling of good neighborhood. They said that they were pledged, before they left home, to vote to make Kansas a free State; that they would not have been assisted by the Aid Society, had they not made that pledge. Much more was said, but I have given the substance of what was said.

To Mr. Sherman:

There was no particular excitement in Missouri before the Kansas-Nebraska bill passed. There was [no] desire expressed by our people about the Missouri compromise until after the bill was introduced and the question brought up in Congress; after that, there was a desire that the bill would pass; that is, if the North would yield the restriction against slavery, we would take it. If the subject had not been introduced into Congress at all, there would not have been any excitement at all, as far as I know. The people of Missouri, no doubt, desired the restriction removed; but they did not suppose a majority in Congress would do it, and felt no great interest about it.

Immediately after the passage of the bill, large numbers of Missou-

rians went over to the Territory to make houses and better their condition. I was at the Willow Spring election in October, 1855, but did not vote. I was at none of the previous elections in the Territory. I know of none of my neighbors who went. I know that in the fall of 1854 secret societies were formed, the purpose and design of which was to make Kansas a slave State, and to counteract the influences of societies in the eastern and northern States formed to make Kansas a free State. These societies were pretty numerous. We thought we had the right to fight the devil with fire. They were formed through many of the counties in Missouri, but I cannot give a definite idea of their number.

To Gov. King :

The object was to induce emigration into Kansas to become bona-fide settlers, and our objects and purposes had nothing in them of an unlawful character.

E. C. McCARTY.

LEAVENWORTH CITY, K. T., *May* 31, 1856.

CHARLES C. SPALDING called and sworn.

To Mr. Scott:

At the time of the election of the 30th of March, 1855, in the Territory, I resided in Westport, Missouri. I had conversations almost daily with emigrants passing through this city, and they told me they came out for the express purpose of making Kansas a free State. Some few days previous to the 30th of March I was returning from the Territory, and at Cedar creek I met a party of Massachusetts emigrants on their way into the Territory. In a conversation with them, they told me they had come here for the purpose of making Kansas a free State. I asked them to locate, and they said they were going to Lawrence. I told them they would find no unoccupied claims in that neighborhood. They said they did not care for that; that they only wished to get to Lawrence in time to vote at the 30th of March election. That was the sum and substance of what they said to me. There were from ten to fifteen in that party. They had one ox-wagon along loaded, but they were mostly travelling on foot. There were no women and children along. They were all young men. I saw no implements of husbandry, only some carpet-bags and something to eat. I was engaged at that time in publishing the newspaper in this city, and I used every means in my power to ascertain every feature I could about the emigration into the Territory that spring. The principal eastern emigration landed that year at Kansas City; and the most part of them came with nothing but a carpet-bag, and left immediately, on their arrival, for the Territory, going to Lawrence and Pawnee—the Pennsylvania delegation generally to Pawnee. One of the Pennsylvania delegation told me, in my office, that Governor Reeder paid his fare out here. In going from Kansas City to the Territory, they universally passed through this place; a good many of them during the night. I used to converse every day

with more or less of them who came along. I cannot say that the numbers increased as the election approached, but very many came along during the day. I know of free-State people who arrived and staid for months in Kansas City, and at the time for election they went up into the Territory. They did not tell me they went up to vote. A great majority of those with whom I conversed stated that their great object in going to Kansas was to make it a free State. Some said they were aided by emigrant aid societies, east, to come out here; others said they were not. The free-State persons who went to the Territory from Kansas City came back after the election. Some were men in business there. I do not know that they voted in the Territory. It was not uncommon to see persons of this eastern emigration, after the election, coming back, with their carpet-bags, on their way down the river. I did not see any great numbers of them coming back. I suppose I have had a hundred say to me that they had been deceived, as regarded the Territory, by the emigrant aid societies in New York. The emigration kept up all the spring and summer; but I cannot say whether there was or not any falling off after the election; but I should think that the emigration just prior to the election was greater than at any other time during that spring.

To Mr. Oliver:

Nearly every one of these eastern emigrants would have a gun.

CHARLES C. SPALDING.

WESTPORT, Mo., *June 5, 1856.*

JAMES WHITLOCK called and sworn.

To Mr. King:

I moved into the Territory of Kansas in October, 1854, and settled three miles south of Lawrence, on the Wakarusa, where I have resided since. I was invited by the citizens of Lawrence to a public meeting, some time in the December or January following. The meeting was attended by the citizens of Lawrence, both free-State and pro-slavery, and was intended their indignation against the movements of the Emigrant Aid Society. From the best knowledge I had, and from the general rumor in that portion of the country, there was great excitement in reference to people's claims and politics; driving men forcibly off their claims, or trying to do so. It was rumored that they came there first, and said that the locality of Lawrence was the only beautiful town site they had found, and they were bound to have it; and this Emigrant Society took possession of the town site when it had been first settled by some other persons. Such was the generally credited rumor; that they had taken possession of three or four of the claims of persons. From the fact that there were such rumors, and they were believed, there was quite an excitement got up there. The excitement at that time did produce such an effect upon the people's minds, that they called an indignation meeting. The meeting was quite largely attended, and there were three or four hundred per-

sons present, I should think, who carried out their intention by passing resolutions expressing their feelings. They were published in the free-State papers.

[Mr. Sherman objects to the above testimony as being entirely irrelevant and incompetent.]

Doctor Robinson was generally considered the agent of the Emigrant Aid Society, and regulated the movements of the society. The people there called Doctor Robinson everything but an honest man; said right to his face that he was a murderer and midnight assassin, and they could prove it.

To Mr. Oliver :

Doctor Robinson was at the meeting, and made a speech there, and they rode him down with a rush. He took the position in his speech that he did not intend to do anything harsh there; that he did not want to wrong any one; that he wanted to build up a large town there; that he had had a good deal of money placed at his disposal by the people of the north; that he wanted to build up some seminary buildings there, and do all he could for the good of the place there.

[To what the people said of Doctor Robinson, and to what he said of his own purposes, Mr. Sherman objects as being irrelevant and incompetent, and wholly unimportant.]

To Mr. Howard :

Common rumor did say that the Emigrant Aid Society of Massachusetts did own the town of Lawrence. After that, or about that time, there was a town company of Lawrence got up. My understanding at the time of the indignation meeting was, that there were but two parties in the town—the Emigrant Aid Society, and the heterogeneous mass of the people who had come there from all parts of the country. In the November before I had my claim jumped, and I first heard, from the man who jumped it, of a town company there, then called "New Boston," instead of Lawrence. I do not know who were the stockholders in that company. I heard Mr. Miller, who was the editor of the "Free State," published there, who said he was a member of the Emigrant Aid Association, say that the company had elected him a member against his own will, and he would not take part in signing the resolutions, until he could resign, and then he would sign any resolutions they could draw up, no matter how strong they were against the Lawrence Association. Mr. Miller said the Massachusetts Emigrant Aid Society, or the Lawrence Association, were to have a meeting that night, and he would withdraw from the society, and did so, and then signed the resolutions. I did not understand that there was any town association there at that time. And my understanding was, that the Massachusetts Emigrant Aid Society were to have a meeting there that night. Mr. Spear, who was a member of the association, said he would sign the resolutions. It was my understanding, and I know it was the understanding of the people there, generally, that the Massachusetts Aid Society were to have the meeting there that night. Mr. Baldwin, Mr. Wade, and another Mr. Baldwin, had claims which this association tried to take away from

them, though they were there first. I have no knowledge of any title of the town, except from rumor of the people there. I never heard of the association having any claim to the land there in town, except an arbitrary claim. I never heard of any Wyandot float until some eight or nine months afterwards, and do not know whether the dispute about the title to the land has ever been settled or not. I never heard that General Whitfield was a stockholder in the town association of Lawrence.

JAMES WHITLOCK.

WESTPORT, MISSOURI, *June 7, 1856.*

LEANDER KER called and sworn.

To Governor King :

I came to Fort Leavenworth, Kansas Territory, in the fall of 1842, as chaplain to the post, and have resided there ever since.

I was not acquainted with Governor Reeder until he arrived in the Territory, at Fort Leavenworth, in 1854. He removed there about two weeks, when he made a tour out into the Territory to district the Territory. A general rumor prevailed—

Q.—Will you state that the fact of Governor Reeder, upon his arrival in the Territory, and long continued neglect to take any steps by which an organization of the Territory, by the election of delegates to the legislative assembly, by which laws might be given to the people, and they be relieved from the state of anarchy in which they were then placed, was not the first and primary cause which gave rise to the excitement which first existed in the Territory.

Witness.—There were great complaints of the delay in calling the elections, and it produced great excitement among the people in the Territory.

I have been very intimately acquainted with the people of the border counties of Missouri adjacent to my residence. There was no political excitement in the border counties of Missouri. I know, until the movements of the aid societies of the northern and eastern States were made public and apparent, a general opinion prevailed that the purpose of these societies was to abolitionize Kansas, and, as a consequence, to overawe Missouri. They believed these things, because they had heard them stated, and seen them in the papers, and heard them from people coming up the river. These rumors created the excitement in Missouri, and, but for these moving causes, I do not believe that the excitement would have prevailed in the border counties of Missouri. I never heard Missourians condemn or deny the right of free-State men to come here and to exercise all their rights, had they come in the usual manner of emigrants. Had the Territory been settled by a majority of free-State men in the ordinary way, from my knowledge of the Missourians, they would have acquiesced in it.

To Mr. Sherman :

I made a speech at Platte City just prior to the March election. I

was invited by the citizens to give my views on slavery. I accepted the invitation, and addressed those citizens. The speech was confined to the subject of slavery, and was not political in its character. I did not advise the citizens to come over here and vote. After I left, I understood other speeches were made; but of their character I do not know, except from hearsay. In the beginning of my speech I disclaimed taking any part in any of the political controversies of the day. I made my speech early in the day, on Monday, and left, and gave no such advice. And after I left, I understood a meeting of Platte City Association was called, and other speeches made as I above stated. At the end of my speech, there being great excitement in the country, I advised them to be moderate, quiet, and cautious, and to use no violence unless it was necessary—not to be the aggressors, and that, if driven to it, to defend their rights.

LEANDER KER,
Chaplain U. S. A.

LEAVENWORTH CITY, K. T., *May 31, 1856.*

WILLIAM H. SUMMERS called and sworn.

I live in Parkville, Missouri. I never heard any citizen of Missouri state that he would come over to Kansas Territory to vote, until they were satisfied that the Eastern Emigrant Aid Societies had determined to colonize Kansas with anti-slavery men, to make it a free State. I well remember that all through the winter of 1854 and 1855, and on up to the election of the 30th of March, 1855, the prevailing rumor was, that the Territory was to be flooded with emigrants from the northern States to vote, at the election of 30th of March, free-soil principles and free-State men; and that Governor Reeder was delaying the organization of the Territory till navigation opened, so that these emigrants might reach the Territory in time to vote at the 30th of March election. This rumor was general, and was as generally credited by all that I ever heard speak of it, and they were a great many—I might say hundreds.

The people of Missouri were alarmed at the unusual movement in the northern States to fix the institutions of Kansas Territory, and were determined, if possible, to defeat the objects of the disturbing expedient by all reasonable means. I am satisfied, beyond doubt, but for the causes I have already spoken of, the Missourians would never have thought of interfering with Kansas affairs, but would have left the people actually residing in the Territory to control their own affairs, elections and all, without any kind of interference on the part of Missourians. I, and the people of Missouri generally, within the scope of my acquaintance, which is quite extensive, took the ground that we had the right, on principles of self-defence, to meet an unusual and extraordinary effort by one of a similar character; hence, as I well know, the action of the people of Missouri in regard to the election in the Territory of Kansas, on the 30th of March, 1855.

WM. H. SUMMERS.

LEAVENWORTH CITY, K. T., *May 21, 1856.*

ISAAC M. RIDGE called and sworn.

To Governor King :

I reside in Kansas City, Jackson county, Missouri. In the month of March, 1855, towards the last of it, there was considerable excitement about the ensuing election in Kansas Territory. I saw a party of a dozen or a dozen and a half of men in a store. They were young men, and their business was that of purchasing pistols, bowie-knives, and blankets. One of them informed me that they were Pennsylvanians, with the exception of a few New Yorkers. He informed me that there were fifty or upwards in their company that arrived there that morning, or the night before. The cause of my talking to him at the time was that he was making some bragadocia remarks. He said he was going to Kansas Territory to play Missouri game; that he was going to the polls to vote, and that if he met a patrol of Missourians there, or men to resist his voting, he would put a pistol-ball through them, or knife them. Some others of the company bought knives. Most of them bought blankets; but none others bought pistols, that I recollect of. Some of them tried to make an arrangement with the merchant to take the blankets back again at the expiration of two weeks, at half price, as about which time they expected to return from the Territory to go back home; but the merchant refused to make such an arrangement. I saw several young men, some two weeks afterwards, on their return from the Territory, who were said to be of the party, but I recognised only the young man with whom I had conversed in the store. The cause which called forth the conversation between him and myself was his angry manner in speaking of Missourians. I, having always been a moderate man on this question, felt that the young man had been misinformed with reference to the true character of the majority of Missourians. He moderated in his tone considerably from the cool manner in which I talked to him. When he returned to Kansas City I met him the second time; I asked him if he had been to Kansas Territory and voted, and laughed at him as I asked him the question, and if he met any resistance there. He remarked that he had voted, and damned the Territory; said he was satisfied with Kansas, and was going back home; and that was the last I saw of him.

A few days after the party just referred to arrived at Kansas City another party arrived, of at least over a hundred men; but not until after the day of election in the Territory. They were represented as coming from Pennsylvania, New York, and probably some from Ohio. I heard some of them cursing the captain of the "Lucas" for running the boat on the sand-bar, and preventing them from getting up into the Territory before the day of election. Some of those men did not go much over the line in Kansas Territory, but returned within three days and went down the river on their way home. The number of them that returned I cannot state, but I counted as many as fifty walking along with their carpet-sacks down to the river.

To Mr. Sherman :

I am confident that some citizens of Kansas City did go over into the Territory at the election of March 30. Probably a majority of the citizens of Kansas City and neighborhood were in favor of the Missourians voting, as a matter of retaliation, in Kansas Territory. There was, however, a division of sentiment on that subject, many contending that those who went there to vote should reside there, and I know, as a matter of fact, that probably one-third subsequently moved into and are now residents of the Territory. Some of those I referred to as having gone from Kansas City belong on what is called the " Military Reserve," on which they had claims, but they worked in Kansas City and lived on their claims. The Reserve I speak of is south of Kansas river, in the Territory.

ISAAC M. RIDGE.

LEAVENWORTH CITY, K. T., *May 28, 1856.*

WILLIAM H. MILLER called and sworn.

I am now residing in Parkville, Missouri. About the 7th day of April, 1855, I went down the Missouri river, on my way to St. Louis, on the steamboat Sam Cloon. When we arrived at Kansas City there was a large number of men came on board the boat, some forty or fifty. I learned from them that they had been into Kansas Territory, having gone into the Territory in the latter part of March of the same year, under the auspices of the Eastern Emigrant Aid Society; that lecturers went through their country, and represented to them that by going to Kansas Territory they would greatly better their condition; that they could get three or four dollars per day for labor, and plenty of it to do. One of the travelling lecturers of the Emigrant Aid Society was then on board the boat, and was receiving as a salary \$100 per month, as I was informed by them in his presence, and he not denying it. He was one of the lecturers who had made these representations to these men, and induced them to come out here. They said they had gone to Kansas Territory, to the vicinity of Lawrence, and found that the representations made to them were entirely false, and they were now returning to their eastern homes in an almost destitute condition, and money was loaned to some of them to enable them to reach their homes. They said that they were at the elections on the 30th of March, 1855, in Kansas Territory. They told this lecturer, whose name was Lincoln, that they believed all the Emigrant Aid Society wanted with them was to come out here and vote. The lecturer told them that he expected to live out here in the Territory. They replied, that perhaps he could live there on \$1,200 a year—\$100 per month—the amount he was then receiving from the Aid Society, and his travelling expenses paid.

On arriving at Booneville, we lay at that place in company with

another boat—the El Paso—bound for St. Louis. This boat also had on board some twenty or thirty eastern men returning to their homes from Kansas Territory. A few miles from Booneville the El Paso sank, and all the passengers got on board the Sam Cloon.

These eastern men made in my presence and hearing about the same representations as those above stated in this testimony, cursing and abusing this Mr. Lincoln, the travelling lecturer, for deceiving them. These men said they had been to Kansas Territory, and were now returning home to the east, and that they were at the election of the 30th of March, 1855 ; and from what they told me, I think there is no doubt but that they voted at the said election.

They said they believed that all the Emigrant Aid Society had in view in trying to induce them to come out here was to make Kansas a free State. They told this Mr. Lincoln that this was the object that he and his masters—the Aid Society men—had in view. The most of these persons were young men, and had no families with them. I understood that the reasons the Missourians came over into the Territory to vote was, that they believed Governor Reeder was holding back the elections until the Emigrant Aid Societies of the east could pour in their forces.

The common rumor was that great numbers of eastern men, sent out by these societies, were on the way to Kansas, and were expected to reach the Territory in time to vote, the 30th March, 1855 ; and it was believed generally that Governor Reeder was holding back the election until they could reach here ; and I heard many Missourians speak of this rumor, and they gave credit to it.

The first thing that excited and alarmed the Missourians was the incorporation by the Massachusetts legislature of a company with a capital of five millions, as was understood, for the purpose of colonizing Kansas Territory with abolitionists ; and whatever acts the Missourians subsequently did were in self-defence, and done with a view of counteracting the influence of these movements in the east.

WM. H. MILLER.

LEAVENWORTH CITY, K. T., *May* 21, 1856.

J. T. REED called and sworn.

To Mr. Scott :

Prior to, and on the 30th of March, 1855, I was residing in Platte county, Missouri, at Camden point. There were rumors of free-State voters being sent out here to vote in the Territory at the election of the 30th of March. I heard these rumors in Platte and Clay counties, where I had been. I saw some men who said they were paid to come here for that purpose. This was about the first of March. I overtook some men between Liberty and Smithland, Clay county, Missouri—some forty in the company. They were travelling with ox-teams. One of them said they had been hired to come

here and vote. They had some six wagons along. I saw but one woman in the party, and think there was no other woman along. They appeared to be all Englishmen, and the one I talked with told me the party were all Englishmen. I do not think there was a horse in the party, and the men were generally walking along by the wagons. I could not see what the wagons were loaded with. I was travelling by myself in a buggy. I told one of them, as he appeared to be tired of walking, that he could have a seat in my buggy, which he accepted. I expected they were Free-soilers, and, in order to find out whether they were or not, I pretended to be a Free-soiler myself. He then told me he had been hired, as were the most of the company, in St. Louis, to come here to Kansas and vote the Free-soil ticket. He spoke of their party having a captain, and that he had gone ahead to pick out some weak point where their votes could be used to advantage. I told them they might have some difficulty; that some of the Missouri ruffians might knock them over if they did not vote right, and they had better be cautious. He said then, that if there was much danger he did not know as he would vote. He said he was paid to vote, and if he was not allowed to vote right, he should not vote at all. I was satisfied they were all Englishmen from their appearance. He said they were landed at New Orleans, and were about to starve out there, and came on to St. Louis, expecting to do better; and when they got there, they found it was no better than at New Orleans for employment.

They were then hired to come up here and vote, and were put on board a boat. The ice prevented them from coming all the way in the boat, and they had ox-teams brought for them. I did not learn from them what point they expected to cross the river; but when I saw them, they were on the road to Weston. I have forgotten the name of the captain, which they told me. They did not tell me who employed them to come up and vote the free-State ticket.

Cross-examined by Mr. Howard:

The man who talked with me did not give his name. He did not say how much they were paid to come here; and I never saw them after that day, and I do not know that they ever came to the Territory.

J. T. READ.

LEAVENWORTH CITY, K. T., *May* 29, 1856.

G. B. REDMON called and sworn.

To Governor King:

I live in this county, in the Territory. I came here in December, 1854. I moved from Jackson county, Missouri, to the Territory. It was an open winter, and I was going back and forward pretty much all the time. In the spring, just before the March election, two or three days, I met a great many emigrants. They appeared to be eastern men. I conversed with a great many of them, and they in-

quired of me for various points—Lawrence, Topeka, Big Springs, Willow Springs, Douglass, and other places. I asked them if they were going to the election, and they would say yes. I asked them if they were going to vote the Free-soil ticket, and they said yes. Some of them told me that a good many were coming on from the east. I asked them how many. They said the estimate was from five to ten thousand. I camped one night with six or seven Pennsylvanians. They told me they were from Reeder's district; and I had heard a rumor that Reeder had sent out a lot of men, and I asked them if it was so. They told me that they heard at home that Reeder had sent out one hundred men. After the election, in my moving, I saw about the same emigration going back. I asked them if the five or ten thousand men that they spoke of had come on. They said their boats had grounded down the river. They said they meant to make a general rally, and beat us if they could; and if they failed in that, they would make another general rally when they came to select members to frame a State constitution.

G. B. REDMON.

LEAVENWORTH CITY, K. T., *May* 28, 1856.

THOMAS E. BOTTOM called and sworn.

To Mr. Scott:

I resided at St. Joseph, Buchanan county, Missouri, on the 30th of March, 1855. I had settled in St. Joseph in December, 1854. I attended the election on the 30th of March, 1855, at Mr. Bogart's, in the Burr Oak precinct of the 14th district of Kansas Territory. I think I was acquainted with the objects and motives which influenced Missourians from St. Joseph to go over to that election. My own object was not for the purpose of voting, as I did not believe I had a right to vote, differing from General Stringfellow and Judge Wm. P. Napton as to the legality of Missourians voting in the Territory, but for the purpose, if any violence was used to prevent pro-slavery men, who were legally entitled to vote, from voting, to meet that violence with violence, if necessary. I understood before I went over that, in all probability, a company sent by the Emigrant Aid Society would land near that precinct for the purpose of voting, and that they were sent just for the purpose of carrying that election, and not to become actual residents; there was a general rumor to that effect. It was said that a certain boat—I forget the name now—had such a party on, and was then on her way up the river. I believe that a large majority did not consider that they had a right to vote, or went there for the purpose of voting, though some of them so considered. I do not recollect of any attorney, except General Stringfellow, being there, who insisted that Missourians had a right to vote in the Territory. I think I heard some of the Missourians who went over say they went over to vote, and that they had a right to vote; but I do not recollect

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of more than two or three, and I do not think that I can name them. Many based their belief that they had a right to vote, upon General Stringfellow's authority. I went armed that day, but not with them in sight, but did not see any person armed there openly. I saw no one shot there that day. I never heard of it when I got on the ground; three gentlemen were pointed out to me, standing in the corner of the fence, as the free-State candidates; and shortly afterwards I was informed that they had determined to withdraw, and I saw one of them, Mr. Larzalere, leave for his home almost immediately afterwards—say ten minutes. I saw no excitement, heard no threats, and saw nothing up to the time of withdrawal to influence them, for State candidates, to withdraw, unless the presence of the crowd, which was pretty large, did so.

Cross-examined by Mr. Howard:

As well as I recollect, Governor Reeder issued a proclamation just before the election, in which he stated his views as to who should vote. One party among the Missourians there, who contended that they had a right to vote in the Territory, contended that, under the organic law, no particular time of residence in the Territory was specified to qualify persons to vote, but that all residents of the Territory on the day of election had a right to vote, and if they were over there on the day of election, they were actual residents and entitled to vote; that is, actual presence made actual residence. They contended further, that the word "actual" was surplusage, and that if it had been left out, the meaning would have been the same—that all residents were actual residents. The other party, myself and a vast majority of others, thought that the framers of the act meant, by the term "actual residents," "*bona fide* residents." The latter opinion, so far as I know and believe, was generally entertained by the Missourians who went over to the elections. The general rumor, about eastern emigrants coming to the election in the Territory, was common talk for several months before the election. The particular rumor, about the boat-load coming up to the precinct opposite St. Joseph, was afloat a few days before the election. I did not hear of any newly arrived emigrants there on the day of election, and I suppose I should have heard of it if there had been any then. I am of opinion, even yet, that there was some truth in these rumors about the boat-load coming up, for I understood, from rumor, that a boat-load of passengers, which had been detained on a sand-bar, did land somewhere near Doniphan the day after the election. I went into the interior of the country. They did not get to the particular precinct where I was. What I have stated to be the object of the Missourians in going over, I learned from actual conversation with them.

To Mr. Scott:

I came up on the steamboat *Australia* from St. Louis in the month of December, 1854, or the latter part of November, 1854, with a party of emigrants sent out to Kansas by the Emigrant Aid Society of Boston, Massachusetts. One of the men showed me a constitution of the

society. I talked with them on the subject of Kansas; they stated that they were sent out here to settle in Kansas. I told them I had no doubt, myself, that they were sent out here to make Kansas a free State, and most of them denied that they were sent out here especially for that purpose, but at the same time they considered themselves under obligations to that society, after accepting their funds, to vote to make Kansas a free State. All said they would vote to make Kansas a free State, and thought they were at liberty to vote just as they pleased. They considered themselves under obligations to vote to make Kansas a free State. I saw the constitution, which showed the object of the society was to afford facilities to free-soil emigrants to Kansas, I do not recollect that they stated what would be the effect upon the State of Missouri of Kansas being a free State. I had most conversation with an intelligent young man named Taft, agent of that society, and who seemed to be the leader, about the morality of slavery; and he thought it was a sin, a sum of all villainies, and should be abolished everywhere. I think in the crowd there must have been 150 men, women, and children, and they got off at Kansas City.

To Mr. Howard:

I inquired about what they paid to go through, and they told me what they paid from some point in New York to Kansas City, and it was a sum less than I paid, myself, over the same route. There was another man along, named Russell, but he said he did not agree with the rest, that he was under obligations to vote in any particular way. I understood that some of them had their passages paid out here, but I cannot tell exactly what that impression was derived from, or the names of any persons who conveyed that impression to my mind, except that Russell told me he had availed himself of the facilities afforded by the society, as he had a large family, and I understood that he had used the funds of the society.

THOS. E. BOTTOM.

LEAVENWORTH CITY, K. T., *May* 24, 1856.

F. M. MAHON called and sworn.

To Mr. Oliver:

I reside now at Palermo, Doniphan county, in this Territory. In the month of March, 1855, I was one of the clerks of the steamboat *New Lucy*, running between St. Louis and St. Joseph. We left St. Louis on our first trip that season on the 16th day of March, 1855. There were a great many emigrants, as they called themselves, in St. Louis before we started, waiting for the boats to go up the river. One boat left before our boat did, crowded with them, so much so that

they refused to take any more. Our boat was the next one that left, I think, and we were crowded, having over 300 passengers—so much so that we had to refuse to take any more. I do not think that in all our lot of passengers there were half a dozen families with women and children on the boat. Their trunks were all marked alike: "Kansas Company, Lawrence, K. T." All were from eastern States—Connecticut and Massachusetts mostly. This I learned from themselves. They asked me particularly about the time we would get to Kansas City, and were very anxious to get there by the last of the month. I did not know anything about any election coming off at that time. I recollect particularly that one gentleman, the head man of the company, took me one side and asked me to be candid with him and tell him if I thought we would beat another boat lying by the side of us, up. They wanted to get in the first and fastest boat up. I advised him to come on the *New Lucy*, and he did with his company, about 80, I think. On their way, a good many told me their object in coming was to vote. After we started, I learned there was an election to come off about the last of the month. Others were anxious to get here in time to vote. It was too early in the year for ordinary emigration; the river was low and the weather was cold. Nearly all of our passengers were of that character. I do not think that there were ten trunks on the boat, except those marked "Kansas Company." I think all had arms—six-shooters, some two or three of them. I do not know that I saw guns. They were shooting so much from the hurricane deck at geese in the river, as we came along, that we had to put a stop to it. I am almost confident that Captain Eli Thayer came up on our boat on that trip. I believe, since it is mentioned, that the name of "Eli Thayer, agent," was on the trunks, and that may be what gave me the impression that he came up that time. I will not be positive that he did come up that time. They had no other luggage except trunks. I do not think there were any but light boxes such as we allow in the cabin. It was an unusual season of the year for any emigration. We were about five days coming up the river to Kansas City. We laid up a week at Weston. The great body of these people got off at Kansas City, about the 21st of March. We laid up at Weston on account of low water, and while we were lying there I went to Palermo, in this Territory, where my father-in-law had laid off a town, and the election came off while I was there, at a house near Mr. Bryant's. I was at the election to see what was going on, but I did not vote. I saw others vote, and some votes challenged. I did not see any of our passengers there.

About three or four days after the election, some eighty or ninety came on our boat at Kansas City. A great many—I do not know but all—were of the same party who came up with us. They said they had been out to Lawrence, and had voted. We run them a little about going away so soon, and asked them if they had got tired so soon. Their answer was that the Emigrant Aid Society had not stood up to what they had promised them, but had misrepresented to them. They had the same baggage, marked "Kansas company," as they had coming up. I do not recollect that the name of "Eli Thayer"

was on the baggage. They generally told me they had voted, and were going back to where they had come from, as they were satisfied. I had a good deal of talk with them. The destination of most of those who went up on the boat before us was Kansas City. I did not notice their baggage. We could generally tell where a man came from fifty yards off, by his general appearance. I think the boat that went up before us was the "Sonora;" and I do not think I ever saw a boat so much crowded as that was. We all thought she could not get up, but she did. The F. X. Aubrey left the same day we did, or the day before or after. Every boat that came up the river was crowded; something that we did not expect. We generally noticed the boats that went out; what their passengers were, &c. The passengers on the "Sonora" were generally eastern men. She lay at the levee, some one or two boats from us. I do not think I went on the "Sonora." I do not believe there were half a dozen ladies on our boat that trip. After we had made some three or four trips that season, our passenger receipts down the river were better than going up. I think some eighty or ninety of our passengers who got on at Kansas City were generally the same men that we had brought up. All boats down generally had a good many passengers. A majority of them I took to be eastern people, going from Kansas. This was the case for three or four trips after the election, as I observed myself, and understood from others at Kansas City. On our trip down, there was a good deal of grumbling about our charging them so much for going down, when they had come up with us; but I do not know as they said anything about scarcity of funds. They were very much put out with the Emigrant Aid Company for misrepresenting matters to them. One little fellow swore that if he ever laid his eyes upon the man who had induced him to come out, he would put a "blue pill" in him, sure. I do not recollect of ever hearing any of these men say they had been furnished with the means of coming here by the Emigrant Aid Company, or any other company. I heard them say there would be thousands come out, and that the Emigrant Aid Society had a capital of \$5,000,000. I do not remember that they said they had themselves come out under the auspices of the Emigrant Aid Society. Of the kind of emigration that came up to Kansas City prior to the election, I should think there were from one hundred to one hundred and fifty on each trip for eight or ten trips down, on a rough estimate. That was along in April, and to the middle of May; and then the passengers began to drop off.

Our up trips began to fall off in this kind of passengers in May or June, and then came up again in the fall. I observed the character of immigration on the boats up the river in the months of March, April, and May, and they were generally eastern and northern men. After that, another class of emigration in families began to come up. These emigrants were generally for Kansas Territory. There was scarcely any females the first two or three trips; generally men, with their hand-sacks and trunks, and most of them with revolvers. All the companies appeared to have leaders, who made the bargains for the passengers—so many men for such a price apiece. I noticed the

passengers on other boats, and when we met a boat as we were going up and down, these passengers would crowd the hurricane deck and fire off their revolvers some two or three times as a salute. In March the river was so low that I do not think we had forty tons of freight on our first trip, and those who took freight could not get up without putting some of it out upon the bank. The Missouri river was unusually low for that season of the year. I do not remember ever to have seen it lower at any time of the year.

Cross-examined by Mr. Sherman:

I was not on board of the New Lucy on the day of election, but I believe she made a pleasure trip to the fort, or to this place, or to Delaware City. I know she was not chartered to bring persons to the election, for I did not receive any money for it. She came down and went up the same day. Palermo is about 12 or 13 miles from St. Joseph, and I went out there to my father-in-law's the day of the election. The election was going on while I was there. I saw a couple of gentlemen there from St. Joseph that I was acquainted with, but they did not vote. There were not many there. Of the 80 or 90 men who came on our boat at Kansas City on our down trip, I heard none say anything about Missourians having come to Lawrence to vote, and made no complaint except against the Emigrant Aid Society, that they had misrepresented things to them and had not come up to their contract with them. They did not specify what things had been misrepresented to them, or what the contracts were. They only said that the Emigrant Aid Society had misrepresented things to them, but I do not recollect of their stating what those things were. I do not remember the name of the leader of the party who came up on our boat, or of any other persons coming with them. We always brought the leaders free. I do not remember the names of any of those who returned on our boat. I do not think I could name any persons coming up or returning with us, without referring to the passenger registers of that season. On our return trip we passed Kansas City somewhere about the first part of April, along from the 4th or 6th of the month. I think the Sonora was the first boat that started up that spring, and we or the Aubrey was the next. I think the James H. Lucas left a couple of days after we did. I do not remember whether Dr. Robinson was on our boat the first trip up or not.

By Mr. Sherman:

I do not know where the old passenger registers of the New Lucy are now. They are not generally kept, and no care taken of them; sometimes thrown overboard or destroyed in some other way. They are bound books, with printed heads and columns, and are used merely as memoranda, and after being filled up are of no more use.

F. M. MAHON.

LEAVENWORTH, K. T., *May* 17, 1856.

BENJAMIN SLATER called and sworn.

I reside in St. Louis, Missouri, and my business is that of commission and forwarding. I have been engaged in that business for some four years. I have resided in this city, off and on, since 1837. I was acting as agent for the New England Emigrant Aid Society in March, 1855, my office being in the same building as Mr. F. A. Hunt. My arrangement with that company was nothing more than to engage the passage of all persons who came out under their care from this place to Kansas city, at a price not to exceed ten dollars each. So far as I knew, the society did not pay for the expenses of the passengers, but each one paid for himself. All the society did, so far as I understood, was to get tickets through from Boston to St. Louis for twenty five per cent. less than ordinary rates; each passenger paid his own fare at the reduced rates. I do not know that the Emigrant Aid Society received any benefit at all from the reduced rates. There were but two parties that went out under the care of that society in the month of March, 1855. One party was under the care of Dr. Charles Robinson, consisting of one hundred and fifty-nine passengers, leaving St. Louis on the steamer Sonora, March 19, 1855. The other party was under the care of John Farwell, consisting of one hundred and forty passengers, leaving St. Louis on the steamer Kate Sweeney, March 26, 1855. I learned afterwards of Captain Chouteau, of the Kate Sweeney, that he was some two weeks getting up to Kansas city. In each party there were quite a number of women and children. In Dr. Robinson's party there were something like thirty or forty children, but I do not remember the number of women in his party. I know that Robinson's party had a great many trunks, &c., and a large quantity of baggage was paid for as extra baggage, after allowing one hundred pounds of baggage to each passenger. The extra baggage was paid for at prescribed rates, each passenger paying for his own baggage.

There were other emigrants from eastern, northern, and southern States, going up the river that spring. I was not applied to by any of those emigrants during March, 1855, to make similar arrangements to that made with regard to the aid emigrants.

The baggage of the aid emigrants was marked with a printed card so as to designate it, thus: "Kansas party baggage, care of B. Slater, St. Louis." I saw no cards on the baggage with the name of Eli Thayer on them. I think I should have seen them if they had been on any of the baggage. The object of the mark I have mentioned was to facilitate and secure the transportation of the baggage. Many of the trunks left on the way were identified by this mark, and afterwards forwarded to me here.

The river was uncommonly low that season, and for that reason many of the boats could not run, and those that did run could not take much freight. Many of the boats ran aground, and scarcely a boat went up without running aground before she reached her destination. The winter had been an open one, and emigration set in earlier than usual. Some mill machinery for several mills was sent

to me that spring, and forwarded by me to Kansas Territory. There was also a large amount of furniture consigned to me that spring for forwarding. The furniture was mostly in boxes, some old and some new boxes, and, as far as I could see, was such as would be likely to be sent out here by movers.

The other emigrants I have spoken of were not connected at all with the emigrant aid societies, but travelled on their own account, sometimes in companies and sometimes in scattered small parties. They would come here sometimes by boat and sometimes by railroad, and the runners of the Missouri river boats would go after them and make arrangements for them. I made no arrangements myself for any parties in March but the two I have named, though I did subsequently.

I never wrote a letter to E. W. Brown, the editor of the Herald of Freedom, Lawrence, Kansas Territory, in which I stated that there were from 600 to 800 eastern emigrants on their way up the river, and would be up in time for the election, and 300 of them would be at Lawrence at the election of the 30th of March, 1855. I never wrote him any letter of the kind. I may have written a letter to Brown, stating the number of some particular party then on their way out. My connexion with the Emigrant Aid Society was purely of a business character. I never received any salary from them, but received from them merely the regular commission as I did from others. I was not their agent in any other sense than that of a commission merchant, and rendered them only the same services that I did to other parties for whom I transacted commission business.

B. SLATER.

ST. LOUIS, MISSOURI, *June 12, 1856.*

F. A. HUNT called and sworn.

My occupation is that of a forwarding and commission merchant. I have been engaged in business in St. Louis for nearly five years past. I have heard the testimony of Mr. Benjamin Slater, just taken. During the month of March, 1855, Mr. Slater had a desk in our office, and I think in the following April he became a partner in our firm, then called F. A. Hunt & Co. Mr. Slater was the passenger agent of the Emigrant Aid Society during March, 1855, and afterwards F. A. Hunt & Co. became their agents. I recollect the party of Dr. Robinson, and also that of John Farwell, which left here for Kansas City during that March. There were no other aid emigrant parties that went up that month. The preceding winter had been a very open one, and the river was then unusually low for the season of the year. There was other emigration from different States during the month of March, much I think from Ohio. They came generally in small detached parties. They made their own bargains, and got up to Kansas City as cheaply as they could. The regular fare from here to Kansas City was at that time \$12. They generally had to pay the

regular fare, unless they came in large parties. Subsequently to March, 1855, other parties of aid emigrants came out here, and we made arrangements for them. The arrangements made by the society was to obtain passage for the emigrants to this place at a reduction of twenty-five per cent., and we generally obtained tickets for passengers up from here to Kansas City at \$2 less than the usual rates. The emigrants received the full benefit of this reduction in both cases, in all instances paying their own expenses at the reduced rates. I know of no instance where the Emigrant Aid Society ever paid a dollar of the travelling expenses of emigrants.

While I acted as agent for the aid society there was frequently shipped to me furniture and other property of a similar character. It was consigned and forwarded as usual in all cases of forwarding, being addressed to the individuals to whom it was sent in Kansas, in our care at this place. On this we collected the customary commissions, regulated by the chamber of commerce of this city, and that was the only compensation we received for our services. They shipped several steam engines, some mill machinery, &c., to us, as also household furniture, which was sent to individuals in the Territory in our care.

I first learned from the St. Louis papers of the fixing of the day of election in March, 1855. I received no information in relation to that matter from the Emigrant Aid Society or any persons connected with that society. The coming of those parties of emigrants had nothing to do with the election, so far as I know. I never knew of the aid society ever sending any persons out here merely to vote. From all I could learn from the society and from the conversation of the emigrants, their sole object in going to Kansas was merely to seek homes and to better their condition. I know that some of these emigrants returned, and the only reason they gave to me for doing so was that the country was new, and they had not means enough to support themselves until they could make a living there.

F. A. HUNT.

ST. LOUIS, MISSOURI, *June 12, 1856.*

AMOS A. LAWRENCE called and sworn.

The first charter for an Emigrant Aid Company was granted by the legislature of Massachusetts in April, 1854. No action was ever had under it on account of supposed defects. This is the charter referred to in the majority report of the United States Senate committee, of which Mr. Douglas was chairman. The first legal organization of the company was under articles of association dated July 24, 1854. Under these the subscriptions of stock were made, and action had, until the spring of 1855, when a new charter was obtained, as follows:

"NEW ENGLAND EMIGRANT AID COMPANY.

"CHARTER.

"AN ACT to incorporate the New England Emigrant Aid Company.

"Be it enacted by the senate and house of representatives in general court assembled, and by the authority of the same, as follows: Eli Thayer, Amos A. Lawrence, John M. S. Williams, and Thomas H. Webb, their associates, successors, and assigns, are hereby made a corporation, by the name of the New England Emigrant Aid Company, for the purposes of directing emigration westward, and aiding in providing accommodations for the emigrants after arriving at their places of destination; and for these purposes they have all the powers and privileges, and are subject to all the duties, restrictions, and liabilities, set forth in the forty-fourth chapter of the Revised Statutes.

"SEC. 2. The capital stock of said corporation shall not exceed one million of dollars. Said capital stock may be invested in real and personal estate, provided the said corporation shall not hold real estate in this commonwealth to an amount exceeding twenty thousand dollars.

"SEC. 3. This act shall take effect from and after its passage.

"Approved by the governor, February 21, 1855."

The money paid in for subscriptions of stock, about \$95,000, and the donations, about \$4,000, was received by me, as treasurer, and has been disbursed by me under the direction of the executive committee. No part of it has been expended for sending out emigrants, nor for any purpose except those made known to the public, viz: the establishment of saw mills, taverns, a printing press, for exploring the Territory, &c. No money has been spent for fire arms. The stock of the company has not been an object of speculation, though many persons think it will be profitable. Some prefer to give money without taking stock. The pecuniary advantage derived by the emigrants has been a reduction of fare of about fifteen per cent. The other advantages will be inferred from the character of the expenditures of the company. The number who have gone out is about 1,300, and those who have joined the parties about as many more. Until recently there has been no association in New England for sending out emigrants. I never have known any person sent out by any society or by individuals to vote. This company never has exacted any pledge from those going out; all connexion with the company ceases on their arrival in the Territory. The subscribers to the stock are about 800, and they belong to various political parties. The company never has had any connexion with any political party, either directly or indirectly, though its agents have sometimes spoken in political meetings; this has been against the wishes of some of the officers. No directions have been given to the agents of the company in the Territory to resist the territorial laws, or otherwise; no question was asked of the agents as to their politics when they were appointed, nor since.

I have never heard that any one of them favored a resistance to the laws of the United States under any circumstances.

I have read the address to the people of the United States, dated Boston, June 17, 1856, before it was printed, and there is nothing in it but what is true. As a brief mode of stating the objects and purposes of the company, I refer to it, and make it a part of my deposition. It is as follows:

TO THE PEOPLE OF THE UNITED STATES.

The executive committee of the New England Emigrant Aid Company, respectfully ask your attention to the following facts:

In consequence of the errors and misrepresentations in regard to the Emigrant Aid Company of Massachusetts, contained in a report made to the Senate of the United States by the chairman of the Committee on Territories, March 12, 1856; and the repetition of the misstatements and apparent adoption of the conclusions of the report by members of both Houses of Congress, in their published speeches; the undersigned have been led to prepare a plain statement of the facts of the case, to expose the grave mistakes of the report and of those who have adopted its erroneous views, and to place before the country a true account of the designs and objects of this association.

As most of the objections which have been urged in various quarters against this company are collected and embodied in the report, our purpose will be best attained by an examination of that document. We proceed therefore to notice some of its more prominent errors and misstatements.

I. There is no such "mammoth moneyed corporation" "with a capital of five millions of dollars," "to control the institutions of Kansas," as the report supposes. There never has been such an one. The act quoted by the report was passed by the legislature of Massachusetts in 1854, but no complete organization ever took place under it, and it was soon abandoned. The New England Emigrant Aid Company, which is the only incorporated society in Massachusetts connected with the emigration to Kansas, was chartered in 1855. Its capital is limited by its charter to one million of dollars, but in point of fact the capital of the company, actually paid in, has never exceeded one hundred thousand dollars.

II. The act of incorporation does not, as the report suggests, make the State of Massachusetts a party to the proceedings of this company. The design of a charter of incorporation, as is well known, is to enable an association of individuals to act together more conveniently and safely in the transaction of its business. A State granting a charter does not render itself responsible for the acts of the company thereby created; and the State of Massachusetts, although doubtless approving of its objects, is no more accountable for the transactions of this company than for those of the numerous companies chartered by its legislature for religious, educational, mining, manufacturing, or other purposes.

III. The report attributes to the company the origin of all the

troubles in Kansas, by its "unauthorized and improper schemes of foreign interference with the internal affairs and domestic concerns of the Territory," and its "attempt to violate or circumvent the principles and provisions of the act of Congress for the organization of Kansas and Nebraska."

The fact is directly the reverse of what is here stated; and a regard for truth and justice should have lead to a careful inquiry into the facts before these assertions were made. This Company has never "interfered with the internal affairs of the Territory." It has never attempted to "violate or circumvent" any act of Congress. It has never, as a company, opposed the Kansas-Nebraska act.

The company was formed to aid in the permanent settlement of the Territory of Kansas by a free and intelligent population. In the prosecution of this purpose, it had reason to expect the approval and co-operation of Congress. It anticipated that, in accordance with the true intent of the Kansas-Nebraska act, all citizens of the United States who should go to settle in Kansas would receive the protection of the government.

The Territory of Kansas cannot properly be spoken off as in any sense "foreign" to Massachusetts. Like the other Territories of the United States, it is the common property of all the States. It belongs to Massachusetts and Vermont as well as to Missouri or Iowa. The citizens of every State have an equal right to go there or to aid others to go, either individually or by means of associated capital. By the Kansas-Nebraska act, the people of these Territories were left, "perfectly free to form and regulate their domestic institutions in their own way." Whatever may be the individual opinions of the members of this association as to the constitutionality, justice, or expediency of this act, the company has accepted it as the law of the land until it should be repealed, and has never violated or evaded it. All its action, on the contrary, has been perfectly consistent with the principles and provisions of the law.

Upon the removal by Congress of all restriction upon the future institutions of Kansas, and the granting to actual settlers the right to determine their character, that Territory was regarded by all parties, both at the south and north, as thrown open to free competition for settlement, by emigrants from all parts of the country. This fact has been recognized by leading men in the southern States as well as at the north, and warm appeals have been made to the patriotism and moral sentiment, as well as to the interest and the political prejudices of all sections of the Union. These appeals find a ready response from the people. Public meetings of citizens have been held in many of the States, and societies formed, to aid in the settlement of the Territory, and to assist in the work of founding a new State.

The report asserts that this company was the first association formed to "control the institutions" of the new Territory; and assumes that the southern societies exist only as a "natural consequence" of its operations. But we have abundant evidence that, before the organization of this company, associations were formed and in active operation in Missouri, to "interfere with the internal affairs" of the Territory in a manner neither legal nor justifiable. Indeed, the existence of a

wide spread desire and intention, on the part of the southern States, to use all practicable means to control the institutions of Kansas, has been so openly and repeatedly avowed, that it needs no proof. The whole charge therefore against this company, that it has been the occasion of the difficulties in Kansas, on the ground of its assumed priority of action, is totally destitute of foundation.

This company has employed associated capital, and organized under a charter, for the convenience of its business. But the use of associated capital is a common principle of all societies, and has never, so far as we know, been objected to, except in the case of this company; and the organization under a charter, so far from implying any design to "violate or circumvent" the law, is direct evidence of a contrary intent. It is, in fact, from the "improper and unauthorized" acts of unchartered and illegal societies, that the greatest danger to the institutions of Kansas has arisen.

Although the associations formed at the north have, no doubt, different objects and different methods of action from those of the southern States, the rights of all of them are equal under the act, so long as their proceedings are conformable to the laws. The citizens of the southern States have not, in general, shown the same disposition with those of the north to emigrate to Kansas, or to aid others to go there for permanent settlement; but they have fully recognized their right to do this, and declare their intention to exercise it. That they have failed to act more efficiently for this object is not, perhaps, owing so much to the want of a desire to extend their peculiar institutions into the Territory as to other causes.

While the objects and action of this company are severely condemned by the report, we find in it no censure of the "unauthorized and improper interference" of southern societies in the affairs of the Territory. Indeed the language of the report would lead to the inference that the Kansas-Nebraska act was especially designed for the benefit of those individuals and societies who seek to render the institutions of Kansas congenial to those of Missouri. Their action is spoken of as simply "*defensive*," while that of the Massachusetts company is characterized as "*aggressive*;" those therefore, it would seem, who favor the establishment of free institutions in Kansas are guilty of acts of aggression; while those who aim to plant slavery there are acting only on the defensive, and are not liable to the charge of endeavoring to "violate or circumvent" the Kansas-Nebraska act.

But whatever may be the views of the report in regard to the design and effect of the Kansas-Nebraska act, the people of the United States will never sanction the doctrine that it was intended for the special benefit of Missouri. That State, although lying in immediate proximity to the Territory of Kansas, can have no other rights there than those which belong equally to every State of the Union. If the construction of the act suggested by the report is to be maintained, it becomes indeed "a question of fearful import" how far such legislation is "compatible with the rights and liberties of the people."

Since all the various Emigrant Aid Societies of the country have equal rights in the Territory of Kansas, no exception can be taken to the action of any one of them, so long as it confines itself to legiti-

mate objects, and employs only just and lawful means to accomplish its ends.

The objects of the New England Emigrant Aid Company are just and lawful. The means which it employs are legal and proper. The disturbances in Kansas are attributed by the report to the "unusual and extraordinary means" used "to stimulate an unnatural and false system of emigration," "with a view of controlling the elections in Kansas." A simple statement of the facts is a sufficient refutation of this error.

It was early perceived by the originators of this company, that a portion of the immense emigration which, every year, seeks the west from the northern and eastern States, might be directed towards Kansas. Information was eagerly sought for in regard to its character and resources, and its adaption to the wants of settlers. The company obtained and supplied the needed information, facilitated the passage of those who wished to go, by aiding them to unite into parties that they might make the journey more conveniently and cheaply, and invested capital in the Territory in such enterprises as would be most useful to the newly arrived settlers. These are the only "unusual and extraordinary means" which it has employed.

It is well known that one of the chief difficulties which the settlers in a new country have to contend with is the want of capital for the support of those undertakings to which the means of individuals are inadequate. It has been one of the first objects of the company to supply this want by the erection of hotels, mills, and machinery; by favoring the establishment of schools and churches; and by doing all in its power to surround the settlers, even on their first arrival, with the comforts of civilized and cultivated life. It was at the same time the belief of some of the originators of the company, that such investments of capital, while in the highest degree useful to the emigrants, would also in the end prove profitable to the company itself, as the population should increase, and the value of permanent property in the Territory be thereby enhanced. It must be apparent, therefore, that the whole plan of the company's operations is based on the idea of a *permanent settlement* of the Territory. Its investments are made in property which has a permanent local value, but which would be worthless unless surrounded by an active and energetic population. It could be no part of its plan therefore to send persons to Kansas for a temporary residence there.

Neither has it offered inducements to any persons to emigrate, by paying for their passage to the Territory. *It has, in fact, never paid the passage of an emigrant.* It has believed that its funds could be more usefully applied to permanent investments in Kansas. The class of persons in New England who would be induced to go by such means is small, and still smaller, it is to be hoped, is the number of those who could be "hired" to go to Kansas, to remain there only temporarily, for the base and dishonest purpose of interfering with the elections in the Territory. The charge that this company has sent emigrants the long journey of fifteen hundred miles for the mere purpose of voting at elections, is therefore not only unjust but absurd.

Those who have gone to Kansas under the auspices of this company

had the means to pay for the journey, and the ability and the will to work for the support of themselves and their families there. They have gone of their own accord and at their own expense. The energy, perseverance, and honorable ambition which led them to forsake the comforts of civilized life, and seek a home in a distant and unsettled region, and which have enabled them to acquire the means for so doing, are precisely the qualities which render them the most valuable and desirable class of settlers for a new country. A few who went out without a sufficient acquaintance with the difficulties and hardships incident to a pioneer life, became discouraged and wished to return. But the number of these is small, compared with those who remain as permanent residents in the Territory.

This company makes no conditions with the emigrants. All persons, whether coming from the north or the south, who wish to go to Kansas, and are able to pay for the passage, are at liberty to join its parties. Its hope and desire are that all who go should be and remain *bona fide* settlers. It asks no questions as to their political opinions. It exacts no pledge or promise, either express or implied, as to their conduct or vote. Such a pledge would be equally dishonorable to those who gave and to those who received it. They are free and independent citizens on the soil of Kansas as they have been on that of Massachusetts or New Hampshire.

While entirely disclaiming on the part of this company any improper interference with the internal affairs of the Territory of Kansas, or any design to control the political or social conduct of its citizens, we have always hoped and expected that the emigrants who go out under its auspices would favor the establishment of free institutions there.

It is for their interest to make Kansas a free State. The character of the men is, in itself, a sufficient guaranty that they will do so. They are men of industry and enterprise, who believe in hard work and are accustomed to it. Such men cannot fail to carry with them, wherever they go, a love for the institutions which recognize the dignity of labor, and allow to every man the just reward of his toil. But the very independence of character which these institutions have fostered would lead them to repel the slightest attempt on the part of this company to exercise any control over their conduct.

We have sufficiently shown the method of proceeding of the company which we represent. Societies early formed in other sections of the Union adopted different methods. Some of these associations have hired men to go to Kansas, have supplied them with arms, and proposed to support them in the Territory, for the avowed purpose of controlling the elections by force and fraud, and by intimidation of the peaceable *bona fide* settlers. The disturbances in Kansas have been the "natural consequence" of these illegal acts, and it is both unjust and illogical to attribute them to the influence of a company whose object is to aid in the peaceable and permanent settlement of the Territory by legitimate means, rather than to the action of societies, the direct tendency of whose proceedings is to produce hostile collision and bloodshed.

IV. Another error of the report is the statement that this company

has invested its capital in "cannon and rifles, in powder and lead, and in all the implements of war."

The assertion is utterly untrue. *The company has never invested a dollar in cannon or rifles, in powder or lead, or in any of the implements of war.* It was established solely for peaceable and legal objects, and it has been no part of its plan to engage in any of the pursuits of war. The first emigrants who went to Kansas under its auspices were mostly unarmed, or provided only with such weapons as were intended for the ordinary purposes of pioneer life. They had no intention or expectation of being obliged to use them in any other way. They relied on the faith of the government that actual settlers should be protected in their rightful occupation of the soil.

Subsequent events have shown that this reliance was unfounded. The Territory has been invaded at various times by armed men from the neighboring States, in defiance of law, and the inhabitants have been obliged to resort to such means of self-defence as they could obtain for protection at the ballot box, for the safety of their homes and families, and for the preservation of their towns and villages from destruction. So far as the facts have come to our knowledge, they have always used these means judiciously and well, never interfering with the rights of others, but ready and determined to maintain their own.

Their patience and forbearance under every species of provocation and insult, while they still hoped for a peaceful redress of their grievances by law; their wisdom and prudence under circumstances of unexampled trial and difficulty; and their brave and determined conduct on occasions when forbearance had ceased to be a virtue, and it had become necessary to repel violence by force, have commanded our respect and admiration. So long as they were exposed only to the attacks of lawless bands, acting without even the pretence of authority of the government, they have been able to defend themselves. But the intolerable wrongs and grievances which they now suffer, under color of law, call loudly upon the government and the country for redress. The inhabitants of Kansas demand only justice, and protection for their rights as citizens and freemen. They have never designed to resist the execution of the laws of Congress, but in their brave and uncompromising resistance to lawless invasion and violence they stand on the broad principles of the inalienable right of self-defence, and the liberties guarantied to every citizen by the Constitution of the United States.

We believe that a full recognition of the principle that actual settlers should control the institutions of the Territory, and an acceptance by Congress of the constitution and form of government which they have chosen, would be a full and complete remedy for all the evils under which they now labor.

V. The statements of the report in regard to the supposed violence and hostility of northern and eastern emigrants in passing through Missouri are also erroneous. Although our communication with the citizens of Missouri, as well as those of Kansas, is frequent and direct, we have never known of an instance of the violence referred to. The Missouri river is one of the common highways of the nation, and its

waters are as free to the citizens of all the States as those of the harbors of our eastern coast. That the emigrants passing up that river to Kansas have expressed sentiments on political and social questions differing from those entertained by many of the citizens of Missouri is perhaps true. Their right to entertain or express such sentiments cannot certainly be doubted. But we are sure that they have never committed any acts of violence or hostility or interfered with the domestic institutions of that State. The inconveniences and annoyances, however, to which emigrants from the east are sometimes subjected in their passage through Missouri, and the risk to life and property often encountered, have turned the attention of parties to other routes to Kansas, which will probably soon be completed by the extension of the lines of railroad now in process of construction through the State of Iowa. By the opening of these routes, the citizens of Missouri will probably be relieved in a great degree of their "apprehensions" of "danger" from the peaceable emigrants to Kansas.

VI. The views expressed in the report respecting this company are not those which are entertained by the citizens of Kansas. Every mail from the Territory brings us assurances of this fact. The inhabitants of that region do not attribute to us any design to control their political action, but they regard our investment of capital there as of great advantage to the settlers, and we have been constantly urged to make new investments to a greater extent than our resources have heretofore allowed.

The interest, however, which recents have awakened in all portions of the country in the welfare of Kansas has had the effect to increase the resources of the company, and it intends to continue to make such investments to the full extent of its means. The emigration to Kansas from all parts of the country still continues, stimulated, no doubt, by the action of emigrant aid societies both at the south and at the north. Experience has shown that the proceedings even of some of those whose views on the subject of the settlement of Kansas are antagonistic to our own, have essentially aided in the success of this company. It has been found that a large number of the emigrants to Kansas, from the southern as well as from the northern States, so soon as they have become permanent settlers, have recognized and desired to participate in the benefit of its operations.

The number of emigrants who have gone to Kansas under the direct auspices of this company is not large, compared with the great numbers from the northern and western States who have been encouraged to go there by the knowledge of its transactions. The actual capital employed by the company is much less than it is represented by the report, amounting, indeed, to but a small part of the sum allowed by its charter. But it has suited the designs of those who oppose it to make exaggerated statements of the character of its operations and to misrepresent its purposes. It has done what it could, in a peaceable, legal, and constitutional way to aid in the settlement of Kansas by a population of freemen. It will continue to exert all its influence to the accomplishment of that great end, without regard to misrepresentation and abuse from whatever quarter they may come.

The number of the stockholders of this association now amounts to
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nearly one thousand, and is steadily increasing. Among its members are persons eminent for intelligence, moral character, and high social position and influence, men of every class and profession in life, and the representatives of every political party. No one, in a community where they are known, would venture to attribute to them any unjust or improper designs. But since, from a misapprehension of their motives, a committee of the Senate of the United States has been led into grave errors in respect to them; and as such errors have been widely circulated, and, if not corrected, may injuriously affect the interests of Kansas, we have thought it expedient to make this public denial of all the charges against the company. But while explaining the purposes of this association, we would also express our cordial sympathy with the efforts of those organizations, of later date, whose methods of action may differ from our own, but whose object is, by all just and honorable means, to aid the emigration of freemen to Kansas, and to enable the settlers already there to maintain their rights on its soil.

WM. B. SPOONER,
J. M. S. WILLIAMS,
ELI THAYER,
S. CABOT, Jr.,
R. P. WATERS,
L. B. RUSSELL,
C. J. HIGGINSON,
EDWARD E. HALE.

Executive Committee of the N. E. Emigrant Aid Co.

BOSTON, June 17, 1856.

The officers of the corporation chosen at the annual meeting, May 27, 1856, are as follows:

President—JOHN CARTER BROWN, of Providence, R. I.

Vice Presidents.—ELI THAYER, of Worcester, Mass.; J. M. S. WILLIAMS, of Cambridge, Mass.

Treasurer.—AMOS A. LAWRENCE, of Boston.

Assistant Treasurer.—ANSON J. STONE, of Boston.

Secretary.—THOMAS H. WEBB, of Boston.

Directors.—Wm. B. Spooner, S. Cabot, jr., M. D., John Lowell, Le Baron Russell, M. D., Charles J. Higginson, Samuel G. Howe, M. D., George B. Upton, Patrick T. Jackson, all of Boston; Wm. J. Rotch, New Bedford; J. P. Williston, Northampton; Wm. Dudley Pickman, Salem; R. P. Waters, Beverly; R. A. Chapman, Springfield; Charles H. Bigelow, Lawrence; Nathan Durfee, Fall River; Wm. Willis, Portland, Maine; Ichabod Goodwin, Portsmouth, N. H.; Thomas M. Edwards, Keene, N. H.; Albert Day, Hartford, Connecticut; John Bertram, Salem; George Howland, jr., New Bedford; Francis Wayland, D. D., Providence, R. I.; Edward Everett Hale, Worcester; Seth Padelford, Providence, R. I.; Samuel Boyd Tobey, M. D., Providence, R. I.; Prof. Benjamin Silliman, New Haven, Ct.; Horace Bushnell, D. D., Hartford, Ct.; Moses H. Grinnell, New York; William Cullen Bryant, New York; Henry H. Elliott, New York; Edwin D. Morgan, New York; Henry C. Bowen, New York; Horace afflin, Brooklyn, N. Y.; Edward W. Fiske, Brooklyn, N. Y.; L. Bailey, Philadelphia, Pa.

Executive Committee.—Messrs. Wm. B. Spooner, J. M. S. Williams, Eli Thayer, S. Cabot, jr., M. D., R. P. Waters, Le Baron Russell, M. D., Charles J. Higginson, and E. E. Hale.

Attest :

THOMAS H. WEBB, *Secretary.*

AMOS A. LAWRENCE.

NEW YORK CITY, *June 26, 1856.*

ELI THAYER called and sworn.

To Mr. Sherman :

I reside in Worcester, Massachusetts. I have been connected with the Emigrant Aid Society, as vice-president, since its organization. In April, 1854, a law was passed by the legislature of Massachusetts to incorporate the Massachusetts Emigrant Aid Company, and that is the law referred to by Hon. S. A. Douglas, in his report to the Senate of the United States. No organization was perfected or stock issued under that law. The reason was that some provisions of the law were objectionable to capitalists. The objection to the law was, that the stock subscribed for was to be payable in ten years, in annual instalments, and capitalists refused to assume responsibilities to extend over so long a period.

Subsequently, in July, 1854, certain articles of association were formed, called "Articles of agreement and association of the Emigrant Aid Society." These articles were perfected on the 24th day of July, 1854. Under these articles, Amos A. Lawrence, of Boston, J. M. S. Williams, of Cambridge, and myself, were the trustees; Mr. Lawrence was also treasurer, and Thomas H. Webb, of Boston, was secretary. Under these articles of association, a company was formed, and arrangements were made for the same purposes as under the law subsequently passed. Objections were made to these articles of association on account of individual liability, and an application was made to the Massachusetts legislature for a charter in January, 1855, which was granted. That charter is embodied in the testimony of Mr. Amos A. Lawrence before this committee. An organization was effected under this charter. The following are the officers of this association or company :

OFFICERS OF THE CORPORATION.

President.—JOHN CARTER BROWN, of Providence, R. I.

Vice Presidents.—ELI THAYER, of Worcester, Mass. ; J. M. S. WILLIAMS, of Cambridge, Mass.

Treasurer.—AMOS A. LAWRENCE, of Boston.

Secretary.—THOMAS H. WEBB, of Boston.

Directors.—William B Spooner, Samuel Cabot, jr., M D, John Lowell, Le Baron Russell, M D, Charles J Higginson, Samuel G Howe, M D, George B Upton, Patrick T Jackson, all of Boston ; William J Rotch, New Bedford ; J P Williston, Northampton ; William Dudley Pickman, Salem ; R P Waters, Beverly ; R A Chap-

man, Springfield; Charles H Bigelow, Lawrence; Nathan Durfee, Fall River; William Willis, Portland, Maine; Ichabod Goodwin, Portsmouth, N H; Thomas M Edwards, Keene, N H; Albert Day, Hartford, Ct; John Bertram, Salem; George Howland, jr, New Bedford; Francis Wayland, D D, Providence, R I; Edward Everett Hale, Worcester; Seth Padelford, Providence, R I; Samuel Boyd Tobey, Providence, R I; Benjamin Silliman, New Haven, Ct; Horace Bushnell, D D, Hartford, Ct; Moses H Grinnell, New York; William Cullen Bryant, New York; Henry H Elliott, New York; William M Evarts, New York; Edwin D Morgan, New York; William Curtis Noyes, New York; Henry C Bowen, New York; Horace B Claflin, Brooklyn, New York; Edward W Fiske, Brooklyn, New York; Rollin Sandford, Brooklyn, New York; and J L Bailly, Philadelphia, Pennsylvania.

Executive Committee.—Messrs. J M S Williams, Eli Thayer, S Cabot, jr, M D, R P Waters, Le Baron Russell, M D, Charles J Higginson, William B Spooner, and E E Hale.

I am familiar with the purposes and history of this company. We sent, first, men to explore the Territory of Kansas, that being the first Territory opened for settlement, to ascertain the character and resources of that Territory. This and other information we published and furnished gratuitously to all who applied for it. We then opened an office in Boston, when application could be made by those who wished to emigrate to Kansas. The secretary kept a book in which the names of these applicants were recorded. When a party of sufficient number was formed, the day was fixed for their departure, tickets were purchased by the company, at a reduced price, of various lines of transportation, and were furnished to the emigrants at cost. A conductor was furnished by the company for each party. His duty was to provide for their safe, expeditious, and economical conveyance to Kansas. We established local agents in the Territory, whose duty it was to receive these colonists, and to inform them of the best locations open to settlement. The company, in no instance, paid the passage of any emigrant. It made no conditions about the political opinion of the emigrants; no questions were asked of them, and persons from every State, and of every political opinion, would have enjoyed, and did enjoy, the same facilities. It was not doubted that the great body of emigrants were in favor of making Kansas a free State. The company furnished these emigrants with no articles of personal property, and never, directly or indirectly, furnished them with any arms or munitions of war of any kind, and never invested a dollar for any such purpose. The purposes of this company, as given in a circular, dated Boston, June 17, 1856, and addressed "to the people of the United States," are correctly stated.

There is and has been no obligation imposed upon emigrants, or pledges asked or required of them, for the facilities they receive from this company. The moment they arrive at the place named in their ticket all connexion between them and the society ceases. The company bought a hotel at Kansas City. This hotel was open to the emigrants and the public generally, each one paying his own fare. The

company never kept the hotel, but leased it to some one, whose name I do not now recollect, and also to Mr. Eldridge, and finally sold it to Mr. Eldridge. It was agreed with the proprietors of this hotel that parties of emigrants coming under our charge should be accommodated as before. The company never received any benefit from this hotel, except the ordinary rent from leasing it. The company built a hotel in Lawrence, at an expense of about \$20,000. At that time there was no hotel worthy of the name in the Territory, there being but little capital in the Territory at the time, as is usual among all pioneers in a new country. This hotel the company leased to Mr. Eldridge, who furnished it, and it was destroyed on the 21st of May last.

We also erected, and prepared to erect, mills in the Territory at different places, some eight or ten of them. The company, I think, had one other building in Lawrence, but I do not now recollect what it is. Some temporary sheds were also erected by the company for the accommodation of emigrants there until they could erect buildings of their own. These were the only buildings that the Emigrant Aid Society ever were interested in. The total expenditures of the company, for all purposes, since its organization have been less than \$100,000. The company had no interest whatever in the residence occupied by Dr. Charles Robinson.

The company laid out no towns, and had no interest in laying out any. The towns were laid out by the settlers themselves, in some cases, the settlers making some arrangements to give the company certain lots to induce us to make investments there, and thus aid in building up the place. This was the case with the town association of Lawrence. The town association would have given similar advantages to any person or company of men who would have made improvements. Other offers were made to us to induce similar investments in other settlements, some of which we were not able to accept for lack of means. It was by means of these investments that the company expected to be reimbursed for what they expended. No other investments were made by this society in the Territory except those I have stated.

I have frequently expressed my individual opinion in regard to the emigration to Kansas, and have differed with my associates upon some points. They are not responsible, nor is the company responsible, for what I have thus said. My name was not put, to my knowledge, upon any baggage belonging to these emigrants in any case.

In my opinion, the stock of the company will prove a profitable investment, if the company shall receive that protection from law enjoyed by other business organizations, as our interests and the interests of the settlers are mutual, never conflicting.

Our investments in the Territory of Kansas have been for the benefit of settlers of all political parties, and from all portions of the States, without preference or partiality.

ELI THAYER.

NEW YORK CITY, *June 26, 1856.*

ANSON J. STONE called and sworn.

To Mr. Sherman :

I reside in Boston, Massachusetts. I am assistant treasurer of the Emigrant Aid Society. A record is kept by that society of the names of those emigrants who are sent out under its auspices. The party of emigrants under Dr. Robinson, who went out in the spring of 1855, left Boston March 13, 1855. I have a list of those who composed that party, copied from the original register in the office of the company by myself. The list is contained in a memorandum book, and is attached to this deposition. The book also contains the names of those who went out in company with John T. Farwell, leaving Boston March 20, 1855.

The number of persons who have been sent out by the Emigrant Aid Society I should judge to be somewhere in the neighborhood of 1,300, but I cannot state, without looking over the books, what proportion were women and children, but there were many going out in families.

When Robinson's party left we had no information at all of the day of election. I do not think any party went out at all in reference to the day of election.

The emigrant aid society never paid the expenses of any emigrant. I am certain of this, because I have carefully examined all the books and papers of the society. They have expended no money for fire arms or ammunition. They have been extremely careful in regard to that matter, and avoided it in any way. The money of the society has been expended in saw and grist mills, the hotel in Lawrence, and in other buildings; and in no case has money been expended with any reference to the political opinion of settlers; but all could enjoy the facilities of the investments of the society. The company did not issue tickets of their own, but purchased tickets of the various lines of transportation, and sold them to the emigrants for cost. A conductor was sent along with each party, but the company in no case paid his fare, but he was furnished with a free ticket by the various lines of travel. The transportation companions made the same deduction on the tickets they sold to us at a reduced rate, as they did to all other companies, picnic parties, conventions, &c.

This is the mode in which business has been ordinarily done between the company and the emigrants. When an emigrant comes into the office and asks about Kansas, for information, &c., we give him a pamphlet containing all the information we have been able to gather. It did not contain any special price of his fare to the Territory; and when he asked what that would be, we would state what the railroads would furnish tickets for. They would naturally come to our office to inquire this, because it is the office of the Kansas Emigrant Company. This pamphlet of information is prepared and furnished, not to persuade persons to emigrate, but to avoid the trouble of answering all the questions persons would probably ask us, by giving them the information they desire in a convenient form. We never urge them to go. Some, after reading our books, would conclude to go, while others would not. We could not tell how many did not go, but there were

many who got these pamphlets did not go. As soon as enough concluded to go, to form a party, a conductor was sent along with the party. Their baggage was marked to facilitate and secure its transportation. The connexion between the company and the emigrant ceased when the ticket was sold, and there was no understanding, agreement, or promise on either side. No man ever went under the auspices of this society, for the mere purpose of voting and then returning, so far as I know.

ANSON J. STONE.

NEW YORK CITY, *June 27, 1856.*

First spring party, March 13, 1855, Dr Robinson conducting agent.

No.	Names.	No.	Names.
1	Loring Farnsworth, varnisher and polisher, Somerville, Mass. (See No. 80, which was substituted.)	37	J. M. Fogg, Lowell.
2, 3, 4, and 5	William Easterbrook, bricklayer, wife, mother, and 2 children, Cambridgeport, Mass.	38	O. Rawson, Lawrence.
6	Samuel C. Smith, Cambridgeport, Mass.	39	S. A. Wynn, designer, Millville, Mass.
7	George W. Fitz, Cambridgeport, Mass.	40	J. Wynn, engineer, Millville.
8	J. M. Lincoln, Cambridgeport, Mass.	41	A. Wynn, weaver, Millville.
9	S. Perry, carpenter, Dighton, Mass.	42	J. McNannie, weaver, Millville.
10	A. Lord, Augusta, Maine.	43	Rev. W. C. High, Northampton.
11	Jacob Bragg, spinner, Lawrence.	44	C. Liscom, Montpelier, Vermont.
14, 15, 16, 17, 18, 18½	Joseph H. Chase, Newburyport, Mass.	45	Amos Trott, Portsmouth, N. H.
	(See Nos. 176, 177, 178, 179, 180, and 180½)	46	C. Bragg, carver, Lawrence, Mass.
19, 20, 21, 21½	Nathaniel H. Gray, varnisher, &c., wife, daughter, and granddaughter, 10 years, and boy 3 years old, Boston.	47	C. A. Adams, farmer, Bedford.
22	Converse S. Graves, varnisher, Boston.	48, 49	W. Hutchinson and wife, West Randolph, Vermont.
23, 24, 25, 25½	Ebenezer Hersey, shoemaker, wife, and 6 children, 10 years, 7 years, 3 years, 2 years, and 1 year, Wayland, Mass.	50	Iram Higgins, carpenter, Fairhaven.
26	James G. Bolles, broker, Boston.	51	George W. Hathaway, farmer, Fairhaven.
27	L. M. Herrendeen, cooper, Palmer, Mass.	52	Alexander Bliss, spar maker, New Bedford.
28	F. Davis, Boston.	53	William H. Gookin, Portsmouth.
29	H. M. Severance, Cambridgeport, Mass.	54	Wm. P. Henderson, Portsmouth.
30	H. Wilson, Springvale, Maine.	55	Not sold.
31	B. Gatchill, Springvale, Maine.	56, 56½	Mrs. Chase.
32	J. W. Brooks, Springvale, Maine.	57, 58,	T. Fessenden, wife and children, Leominster.
33	G. F. Brown, carpenter, Pawtucket.	59, 60	B. G. Livingston, Fitchburg, Mass.
34	J. Brown, farmer, Pawtucket.	61	Mrs. Frederick Kimball, Fitchburg, Mass.
35	J. C. Disney, Boston.	62	Mrs. Samuel Kimball, Fitchburg, Mass.
36	A. Doane, Eastham, Maine.	63	Kate E. Kellogg, teacher, Belchertown.
		64	J. E. Rice, Roxbury, Mass.
		65	S. Bullard, Saxonville.
		66	R. Seavy, carpenter, Lawrence, Mass.
		67	S. Whitaker, machinist, Lawrence, Mass.
		68	George Rhymes, machinist, Lawrence, Mass.
		69	G. Currier, stone cutter, Lawrence.
		70	Abiel Morrison, painter, Lawrence.
		71	

FIRST SPRING PARTY—Continued.

No.	Names.	No.	Names,
72	Henry Hammond, Lawrence.	116	William Hutchinson, West Ran-
73	J. W. Luce, watchmaker, Law-		dolph.
74	J. M. Emerson, carpenter, Boston.	117	Joseph C. Miller, tinman, Provi-
75	William Clealand, farmer, Natick, Mass.	118, 119,	dence, R. I.
76	A. C. Wright, shoemaker, Natick.	119 ¹ / ₂	Leonard Litchfield, Leominster,
77	C. L. Wilbur, engineer, Boston.	120	Mass.
78	Mrs. C. L. Wilbur, Boston.		Frederick J. Locke, farmer, West
79	F. Bolles, Littleton.		Cambridge, Mass.
80	L. Farnsworth, varnisher, &c.,	141	121 to 140 sent to W. W. Rice,
	Nashua		Worcester. See after No. 182.
81	J. Lockley, Leominster.	142	Joseph Keller, cabinet maker, Baden,
82	J. L. Lockley, Leominster.		Germany.
83	F. A. Abbott, manufacturer, Lowell.	143	Herman Vogel, cabinet maker,
			Saxony.
84	Daniel Downes, teamster, Cambridgeport, Mass.	144	William Marshall, mason, Fitch-
85	J. C. French, Brunswick, Maine.		burg, Mass.
86	G. B. French, Brunswick, Maine.	145	George Dean, tanner, West Taun-
87	C. Hathaway, Montpelier Vermont. (See 102.)	146	ton, Mass.
88	(See 84.)	147, 148	George Abel Crane, farmer, West
89	E. Emerson, varnisher and polisher, Boston.		Taunton, Mass.
90	H. Evans, shoemaker, Lynn, Mass.	149	Francis B. Swift, printer, Brunswick, Maine.
91	J. Evans, Lynn, Mass.	150	William B. Marshall, farmer, and
92	Caroline Evans, Lynn, Mass.		wife, East Weare, N. H.
93	Betsy Evans, Lynn Mass.	151	Andrew B. Marshall, teacher,
94	G. G. Kimball, manufacturer, Lawrence, Mass.		East Weare, N. H.
95	H. Y. F. Fisher, Lawrence, Mass.	152, 153,	L. H. Pillsbury, carpenter, Lond-
96	Daniel Merrill, Saco, Maine.	153 ¹ / ₂	dondery.
97, 98,	John Pike, carpenter, wife and	154	Chas. F. Tolman, jr., shoemaker,
99	2 children, Biddeford, Maine.		Gloucester.
100	Granville Libbey, Saco, Maine.	155	E. A. Landon, cutler, wife, and
101	Wm. Rutter, Leominster, Mass.		boy 8 years, Plymouth Conn.
102	Charles Hathaway, Montpelier, Vermont. (See 87.)	156	Albert Irish, manufacturer, Bid-
103	David Ambrose, carpenter, Lawrence, Mass.	157	deford, Maine.
104	Joshua Abbott, farmer, Dexter, Maine.	158	Josiah Reed, tin plater, Portland,
105	Samuel Smith, shoemaker, Dorchester.	159	Maine
106	Samuel Hall, carpenter, stoneham.	160	Sarah Ann Fick, 2 children under
107	Moses Hubbard, machinist, South Berwick, Maine.	161	5, New York.
108	Paul R. Hubbard, carpenter, South Berwick, Maine.	162, 163	William B. Lewis, caulker, N. Y.
109	Hanson Moore, shoemaker, South Berwick, Maine.		Samuel Lewis, hair dresser, N. Y.
110	William Sawyer, storekeeper, Saco, Maine.		Nathan E. Redland, mason, Bux-
111	Roswell Phillips, machinist, Saco, Maine.		ton, Maine.
112	Luther Dame, Porthmouth, Me.	166	Andrew H. Field, Portland, Me.
113	W. B. Waite, Portsmouth, Me.	167	Thomas Bickerton, Portland, Me.
114	W. A. Adams, carpenter, Milton railway.	168	J. W. Hague, farmer, and wife,
115, 115 ¹ / ₂	Jesse Stone and son, Wm. Henry Stone, Medford, Mass.	169	Plymouth, Conn.
		170	H. J. Kloppenburg, farmer, Lowell, Mass.
		171	H. P. Waters, jeweller, Providence.
		172	A. S. Waters, jeweller, Providence, R. I.
		173	(Not used.)
			J. G. Bunker, cabinet maker, Providence, R. I.
			H. H. Wentworth, machinist, Providence, R. I.
			William Brown, farmer, Providence, R. I.
			E. D. Ingraham, Coventry, R. I.
			P. Ingraham, farmer, Coventry, R. I.
			J. A. Brown, carpenter, Greenwich, R. I.

FIRST SPRING PARTY—Continued.

No.	Names.	No.	Names.
174	G. A. Gorton, carpenter, East Greenwich, R. I.	180, 180½	Brown, and Hannah Chase, and 3 under 5, Newburyport, Mass.
174½	J. W. Bunker, 12 years, Providence, R. I.	181	Horace W. Taber, stone cutter, Holland, Vt.
175	(Not used.)	182	Luther Bixby, farmer, Moretown, Vermont.
176, 177, 178, 179,	Joseph H. Chase, farmer, wife, son Henry, Eliza, Le Roy S.		

Names omitted in numerical order, added to the first party from Worcester, Mass.

No.	Names.	No.	Names.
	No. 121 to 133, both inclusive, retained unused.	137	Abram Stone.
134	E. Trask.	138	E. Jones.
135	G. L. Crosby.	139	Abner C. Haskell, North Brookfield, Mass.
136	Mary B. Stone.	140	Chas. A. Haskell, N. Brookfield.

I hereby certify that the foregoing is a true copy of the original list of the first spring party for Kansas under the auspices of the New England Emigrant Aid Company, which left Boston on March 13, 1855.

THOMAS H WEBB,
Secretary New England Emigrant Aid Company.

Boston, June 26, 1856.

Second party, March 20, 1855, John T. Farwell conducting agent.

No.	Names.	No.	Names.
1	Edward Turner, Olneyville, R. I.	16	Albert Fuller, carpenter, Pawtucket, R. I.
2	George Abbott, Providence, R. I.	18	Robinson Bentley, Providence, R. I.
3	Daniel W. Palmer, machinist and gunsmith, South Andover.	19	John McCabe, Providence, R. I.
4, 5, 5½	John A. Parkin, farmer, son 15 years, and daughter.	20	Edward A. Walton, farmer, Salem, Mass.
6, 7, 8, 9	William H. Hovey, farmer, and wife, Francis W. H., and Mrs Horne and daughter 3 years old, Cambridgeport.	21	Thomas Hodgdon, South Berwick, Maine, (transferred to 3d party.)
10	George Walker, currier, Pawtucket, R. I.	22	Henry S. Dole, operative, Lowell, Mass.
11	Carlos Cooley, teacher, Worcester, Mass.	23	Joseph Brown, carpenter, and son Andrew F., 3½ years, Lowell, Mass.
12, 13	Edward Chappell, farmer, and wife, Blackstone, Mass.	24	Susan W. Brown, Lowell, Mass.
14	George Fricker, laborer, Blackstone, Mass.	25	Levi E. Brown, farmer, Lowell, Mass.
15, 15½	Benjamin Davis, farmer, son Jas., 12 years, Pawtucket, R. I.	26	Jonathan, Brown, farmer, Wilmot, N. H.
17	David Douglas, farmer, Pawtucket, R. I.	27	Israel H. Brown, farmer, Wilmot, N. H.
		28	Erastus Wright, farmer, Westford, Mass.

SECOND PARTY—Continued.

No.	Names.	No.	Names.
29	Erastus F. Wright, farmer, Westford, Mass.	77	William Mitchell, shoemaker, Bridgewater, Mass.
30	Nathan Hackett, manufacturer, Lowell, Mass.	78	Thomas Darling, farmer, Middleboro' Mass.
31	Lavinia Hackett, Lowell, Mass.	79	Alpheus Wright, farmer, Westford, Mass.
32	Phebe A. Thurston, Lowell, Mass.	80	Charles H. Young, Lowell, Mass.
33, 34	Albert Whitcomb and wife, Keene, N. H.	81, 82	Thomas Paget and Isabella, his wife, Lowell.
35, 36	Charles Miller, shoemaker, and wife, Walpole, N. H.	83	Josiah C. Goodrich, farmer, Mt. Vernon, N. H.
37	Isaac Mattoon, blacksmith, Walpole, N. H.	84	Isaac C. Trott, shipmaster, Bath, Maine.
38	Thomas E. Pierce, carpenter, Walpole, N. H.	85	Walter C. Trott, sailor, Bath, Me.
39	Edwin Guild, teacher, Walpole, N. H.	86	Charles S. Beath, carpenter, Bath, Maine.
40	Benjamin E. Chase, Salem, Mass.	87, 88	Leverett Haskell, farmer, and wife, Claremont, N. H.
41	Nathaniel M. Thomas, mason, Wayland, Mass.	89, 90	H. K. Rawson, carpenter, and wife, Worcester.
42, 43	Chas. W. Smith, carpenter, and wife, Lowell.	91	Ellen, 10 years, Wallace, 7 years, also Charles, 4 years, and Geo. H. Rawson, 2 years.
44, 45, 46	Henry Atherton, farmer, and wife and 2 children, Ellen M., 12 years, and Henry F., 6 years.	92	John Haskell, operative, Worcester, Mass.
47	Isaac P. Choate, teacher, Naples, Maine.	93	Jas. S. Haskell, operative, Worcester, Mass.
48	Wm. F. Pray, So. Berwick, Me.	94	John N. Wilson, farmer, Worcester, Mass.
49	Edward Woodman, Lawrence, * Mass.	95	Walter Wilson, farmer, Worcester, Mass.
50	Henry Bayes, Lawrence, Mass.	96	L. H. Bascom, boot and shoe dealer.
51	John H. Blaisdell, carpenter, Southampton, N. H.	97 to 106	sent to Worcester, returned unsold
52	J. N. Pierce, trader, New Bedford, Mass.	107	Bernard Lee, operative, Lowell, Mass.
53	Monroe Preston, Manchester, N. H.	108	Patrick Lee, operative, Lowell, Mass.
54	Marcellus Preston, Lowell.	109	Jas. Lee, operative, Lowell, Mass.
55	William H. Morse, Topsham, Me.	110, 111	Aaron E. Platt, farmer, and wife, Rindge, N. H.
56, 57,	Mrs. J. H. Nicholls, husband,	112, 113	D. Hagar, farmer, and wife, Rindge, N. H.
58, 59,	John King, (servant,) George	114, 115	Benjamin Stowe, farmer, and wife, and son 9 mos., Rindge, N. H.
60, 61,	B. N., one-half, Jos. G. Green,	116	Warren Stowe, farmer, Rindge, N. H.
62, 63,	wife, 2 sons, 11 years and 8	117	Geo. W. Nichols, lumber dealer, Boston.
64, 65,	years, James Sargent, farmer,	118	Shad E. Sumner, clerk, Boston.
65½	Dummerstown, Vt., Wallace	119	Robert W. Carr, lawyer, Mechanics' Falls, Maine.
	Sargent, Mrs. Whitney, (widow,) Miss Sarah Jones, (intended bride,) Keene, N. H.	120	S. C. Rowe, painter, Boston.
66	Joseph Thomas Damon, farmer, Cohituate.	121, 122,	E. W. H. Thomas, farmer, wife,
67	Samuel Colby, farmer, Springfield, N. H.	123, 124	son Edward, 16 years, 2 girls, 11 and 13, and infant, Biddeford Maine.
68	Christ. C. Colby, farmer, Springfield, N. H.	125	Samuel M. Prescott, blacksmith, Southampton, N. H.
69	John B. Colby, farmer, Springfield, N. H.	126	Benj. Smith, carpenter, Southboro', Mass.
70	Nathan Johnson, farmer, Grafton, N. H.	126½	Elbridge G. Smith, Southboro', Mass.
71	Alonzo Johnson, farmer, Grafton		
72, 73,	Geo. W. Pearce, tin plate worker,		
74, 74½	wife, 1 boy 13, 2 girls 10 and 14 years, and 2 boys 3 and 1 years.		
75, 76,	Peter Barton, house joiner, wife,		
76½	girl 4 years, and boy 3 years, and infant girl, Croyden, N. H.		

SECOND PARTY—Continued.

No.	Names.	No.	Names.
127	James R. Goodwin, painter, Boston.	136	Otis Potter, jeweller, Providence, R. I.
128	Ernest Halbawer, operative, Dedham, Mass.	137	Ezra A. Potter, painter, Providence, R. I.
129	Charles, son of do.	138	Geo. A. Potter, Providence, R. I.
130	Christina Halbawer,	139	E. W. Burroughs, carpenter, Providence, R. I.
131	Adolphe Tansler, operative, Dedham, Mass.	140	G. P. Richardson, grocer, Providence, R. I.
132	John N. Shaw, farmer, Grafton, N. H.	141	James Farnum, carpenter, Salem, Mass.
133	Charles Runja, operative, Dedham, Mass.	142	Lorenzo D. Full, carpenter, Andover, Mass.
134	Wife, Minnie Runja, Dedham, Mass.	143	Willard Low, farmer, Fitchburg, Mass.
134½	Louisa Runja, 11 years, Christina Runja, 4 years, Dedham, Mass.	144	Elisha F. Mayo, farmer, Orleans, Mass.
135	John James, farmer, Foxboro', Mass.		

I hereby certify that the foregoing is a true copy of the original list of the second spring party for Kansas, under the auspices of the New England Emigrant Aid Company, which left Boston on March 20, 1855.

THOMAS H. WEBB,

Secretary New England Emigrant Aid Company.

Boston, June 26, 1856.

Third party, March 27, 1855, Dr. Hunting conducting agent.

No.	Names.	No.	Names.
1, 2	Corneilus Holcomb and wife, Northampton, Mass.	20	William Dewitt, Claremont, N. H. 21 and 22 not taken.
3	L. Dwight Colman, Northampton, Mass.	23	Addison Wardwell, farmer, Penobscot, Maine.
4	Leonard Duun, Northampton, Mass.	24	Mary Wardwell, Penobscot, Me.
5, 6, 6½	Benjamin C. Booram, carpenter, John B. and James B., 10 years, Taunton, Mass.	25	Charles R. Smith, tin plater, East Cambridge.
7	Ebenezer Farrington, farmer, Francistown, N. H.	26	John W. Shepard, clerk, Nashua, N. H.
8, 9, 9½	Asher R. Peckham, carpenter, 1 girl 9 years, 2 boys 7 and 5 years, Taunton, Mass.	27	Alonzo Gray, carpenter, Newport, R. I.
10	Stephen H. Thurlow, carpenter, Newburyport, Mass.	28	G. W. Lee, Cumberland, R. I.
11, 12	James Winslow and wife, New Bedford, Mass.	29	Mrs. H. H. Lee, Cumberland, R. I.
13, 14	R. M. Taber, sailmaker, and wife, New Bedford, Mass.	30	Allen B. Lee, Cumberland, R. I.
15, 15½	T. J. Wright, farmer, and daughter 8 years, Claremont, N. H.	31, 31½	John G. Ricker, farmer, and John O'Donnell, Boston.
16	Daniel Keyse, farmer.	32, 33	E. S. Buffum, shoemaker, and wife, Salem.
17	Miss E. Wallingford, teacher.	34, 35	Frederick Hubon, carpenter, and wife, Salem.
18	J. Swett, carpenter.	36	John Melcher, tailor, Salem.
19	William Earle, Claremont, N. H.	37	Augustus Miles, engineer, Concord, Mass.
		38	Charles L. Sawin, Littleton, Mass.
		39	Franklin Kendall, farmer, Boston.

THIRD PARTY—Continued.

No.	Names.	No.	Names.
40	Samuel Fisher, farmer, Greenfield, N. H.	58	Jacob Rowe, farmer, Lyme, N. H.
41	George M. Morse, expressman, Providence, R. I.	59	George Rowe, Lyme, N. H.
42	Timothy Eaton, shoe manufacturer, West Cambridge.	60	W. Y. Gross, carpenter, Duxbury, Mass.
43	Charles Eaton, Peterboro', N. H.	61, 62, 63	Henry Leis, printer, and wife, and sons, Wm. and George, Providence.
44	Charles R. Eaton, Peterboro', N. H.	64, 65	Joseph Redfield, wife, and 2 children, under 4 years, Hartford, Conn.
45	David Scott, carpenter, Providence, R. I.	65	G. W. M. Hibbard, blacksmith, Lisbon, N. H.
46	Russell D. Armington, Providence, R. I.	67	Rev. William M. Cone, Pawtucket, R. I.
47, 48	Orin Rogers, trader, and wife, Hartford, Conn.		68, 69, and 70 not sold.
49	E. C. Parson, farmer, Hartford, Conn.	71	Sandford Jones, Oxford, Mass.
50, 51	John T. Dow, tailor, and wife, and child 3 years, Hartford, Conn.	72	Patrick Welch, Uxbridge, Mass.
52, 53	Daniel Rd, tailor, and wife, also child 3 years, Hartford.	73	Henry C. Webb, Sutton, Mass.
54	Joseph Hicks, shoemaker, Plaistow, N. H.	74	George W. Webb Sutton, Mass.
55	George Buffum, carpenter, Salem, Mass.	75	J. S. Bart, Sutton, Mass.
56	Joseph Kehew, Salem, Mass.		76 to 87, inclusive, not used.
57	William E. Goodnow, printer, Norway, Maine.	88	J. N. Mathes, painter, Lawrence.
		89	Edward Seagrave, minister.
		89½	David W. Seagrave, 14 years, Providence.
		90	Francis Lewis, machinist, West Cambridge, Mass.

I hereby certify that the foregoing is a true copy of the original list of the third spring party for Kansas, under the auspices of the New England Emigrant Aid Company, which left Boston on March 27, 1855.

THOMAS H. WEBB,

Secretary New England Emigrant Aid Company.

Boston, June 26, 1856.

Names of males in party of aid emigrants under C. Robinson, March, 1855.

No. on company list.	Names.	No on poll books 1st dist., Mar. 30.	No. on company list.	Names.	No. on poll books 1st dist., Mar. 30.
47	C. A. Adams.....		79	F. Bolles.....	
83	F. A. Abbott.....	393	161	Thomas Bickerton.....	
103	David Amborse.....	1055	168	J. G. Bunker.....	
104	Joshua Abbott.....		170	William Brown.....	
114	W. A. Adams.....		173	J. A. Brown.....	\$5
11	Jacob Bragg.....		175	J. W. Bunker.....	
24	James G. Bolles.....		182	Luther Bixby.....	
32	J. W. Brooks.....		70	G. Currier.....	
33	G. F. Brown.....		75	William Cleland.....	
34	J. Brown.....		145	George Abel Crane.....	
46	C. Bragg.....		14	{ Joseph H. Chase.....	
52	Alexander Bliss.....		176	{	
66	S. Bullard.....		135	G. L. Crosby.....	

Names of party of aid emigrants under C. Robinson—Continued.

No. on company list.	Names.	No. on poll books 1st dist., Mar. 30.	No. on company list.	Names.	No. on poll books 1st dist., Mar. 30.
28	F. Davis	1010	61	B. G. Livingston	902
35	Jr C. Disney	993	67	R. Leavy	1032
36	A. Doane		73	J. W. Luce	1007
84	Daniel Downes		81	J. Lockley	
113	Lnther Dame	1030	82	J. L. Lockley	
144	George Dean		100	Granville Libbey	
2	William Easterbrook		118	Leonard Litchfield	999
74	J. W. Emerson	990	120	Frederick J. Locke	909
89	E. Emerson		152	E. A. Landon	810
80	H. Evans		157	William B. Lewis	
91	J. Evans		158	Samuel Lewis	
7	George W. Fitz		42	J. McNamee	
10	A. Ford		71	Abiel Morrison	
37	J. M. Fogg	1019	96	Daniel Merrill	931
57	T. Fessenden		109	Hanson Moore	
1	{ L. Farnsworth		117	Joseph C. Miller	
80			143	William Marshall	985
85	J. C. French		147	William B. Marshall	
86	G. B. French		149	Andrew B. Marshall	
95	Henry F. Fisher	1015	9	S. Perry	
160	Andrew H. Field		97	John Pike	
10	Nath H. Gray		111	Roswell Phillips	
22	Converse L. Graves	1008	150	L. H. Pillsbury	
31	B. Gatchill		38	O. Rawson	
53	William H. Gooking	989	65	J. C. Rice	
174	G. A. Gorton	943	69	George Rhymes	1033
23	Eben. Hersey		101	William Rutter	992
27	L. M. Herrenden	980	155	Josiah Reed	1025
43	Rev. C. W. High	998	159	Nathan E. Redland	
48	{ W. Hutchinson		6	Samuel C Smith	
116			29	H. M. Severance	1000
50	Iram Higgins		105	Samuel Smith	
51	George W. Hathaway		110	William Sawyer	
54	William P. Henderson		115	Jesse Stone	
72	Henry Hammond		146	Francis B. Swift	
87	{ Charles Hathaway	1026	137	Abram Stone	
102			45	Amos Trott	891
107	Samuel Hall	1021	151	Charles F. Tollman, jr.	
107	Moses Hubbard	1011	181	Horace W. Taber	
108	Paul R. Hubbard	981	134	E. Trask	
162	J. W. Hague		142	Herman Vogel	
139	Abner C. Haskell		30	H. Wilson	
140	Charles A. Haskell	867	39	S. A. Wynn	
154	Albert Irish	983	40	J. Wynn	
171	E. D. Ingraham		41	A. Wynn	
172	P. Ingraham		68	L. Whittier	
138	E. Jones	{ 862	76	A. C. Wright	
		1003	77	C. L. Wilbur	1014
94	G. G. Gimball	994	113	W. B. Waite	
141	Joseph Keller		165	H. P. Waters	
164	H. J. Kloppenburg		166	A. S. Waters	
8	J. W. Lincoln		169	H. H. Wentworth	
44	C. Liscom	1004			

Total of males in the party 126
Total of those who voted 37

JOHN SCOTT called and sworn.

To Mr. Oliver :

I was present at the election of March 30, 1855, in Burr Oak precinct in the 14th district, in this Territory. I saw many Missourians there. There had been a good deal of talk about the settlement of Kansas, and the interference of eastern people in the settlement of that Territory, since the passage of the Kansas-Nebraska bill. It was but a short time after the passage of that act that we learned through the papers about the forming of a society in the east for the purpose of promoting the settlement of Kansas Territory, with the view of making it a free State. Missouri, being a slave State, and believing that an effort of that kind, if successful, would injure her citizens in the enjoyment of their slave property, were indignant, and became determined to use all means in their power to counteract the efforts of eastern people upon that subject.

They were excited upon that subject, and have been so ever since. This rumor and excitement extended all over the State, and more particularly in the borders. The general rumor was that this eastern society was for no other purpose than making Kansas a free State. One great reason why we believed that was the only object of the society was, that we heard of and saw no efforts to settle Nebraska or the other Territories with free State men. The people of the south have always thought they have always been interfered with by the north, and the people of Missouri considered this the most open and bold movement the northern and eastern societies ever made. I am perfectly satisfied, and I have heard hundreds of Missourians lament that such a course had been pursued by the north, and gave it as their opinion that there would have been no excitement upon the subject of slavery, except for the extraordinary movement made by the north and east for the purpose of making Kansas a free State. Most of the slaves of the State of Missouri are in the western border counties, or the hemp growing portion of Missouri. The people of Missouri were a good deal excited just before the March election, because it had been so long postponed, and it was generally supposed that it was postponed in order to allow time for eastern emigrants to arrive here, that they might control the elections. Everybody that I heard speak of it expressed that belief, both in and out of the Territory. The same rumors were in the Territory as in Missouri. Immediately preceding that election, and even before the opening of navigation, we had rumors that hundreds of eastern people were in St. Louis, waiting for the navigation of the river to be opened, that they might get up to the Territory in time for the election, and the truth of these rumors was established by the accounts steamboat officers afterwards brought up of the emigrants they had landed at different places in and near the Territory, who had no families and very little property, except little oil cloth carpet sacks. For some two or three weeks before the election the rumor was prevalent that a good many eastern people were being sent here to be at the elections, and then were going back. There was a general expression of opinion that the people of Missouri

should turn out and come to the Territory, and prevent this illegal voting by force, if necessary. We regarded this as invasion of the northern people of a Territory which was contiguous to Missouri, for the purpose of controlling the institutions of the Territory, and the defeat of the objects of the Kansas-Nebraska bill.

I do not recollect as I ever heard any Missourians advocate the policy of Missourians going over to that election and voting, in the absence of this eastern emigration about the time of the election, except, perhaps, General Stringfellow, who advocated the doctrine that the Missourians had the right to go there any time to vote, and, perhaps, urged them to come for that purpose. It was determined by the Missourians that if the eastern emigrants were allowed to vote, we would vote also, or we would destroy the poll books and break up the elections; and the determination is, that eastern people shall not be allowed to interfere and control the domestic institutions of Kansas, if the Union is dissolved in preventing it, though we are willing that all honest, well-meaning settlers shall come and be admitted to all the equality of the other citizens.

I went to the Burr Oak precinct with a company of other Missourians, with no arms myself, and I saw one gun in the party, and a few pistols and side arms. The determination of the people of Missouri was to interfere with no one except this boat load of eastern emigrants which was expected at that precinct, and if they arrived we determined, if strong enough, to march them back, to the tune of the Rogue's March, to the river, and make them get on the boat they got off. If we were not strong enough and they were allowed to vote, we were determined to vote too. I heard no conversation from any Missourian to interrupt or interfere in the slightest degree with any resident voter of the Territory. I have never heard any Missourians, except General B. F. Stringfellow, announce or advocate the doctrine that Missourians ought to come over into the Territory and vote and interfere in the elections in any manner, except only during the existence of these rumors in regard to these eastern emigrants, and then only to prevent them from controlling the election improperly, as we conceived it would be. I did not see the slightest effort made on the 3rd of March to interfere with the voters of the district, and there was no disturbance in regard to the election. There was one little fight growing out of whiskey, and one who had been fighting met with a young man from Missouri, and they got into a quarrel, and the man drew a pistol on the young man or boy, and the boy knocked him down with a stick, but the pistol was not discharged at all. That was the end of the fight.

Cross-examined by Mr. Howard:

I do not think the Missourians would ever have got excited about Kansas, but for the rumors concerning eastern emigrants. The extraordinary efforts made by the eastern people, except these emigrant aid societies, that I have heard of, is the newspaper reports of men, rifles, and means being sent out here, as they say, to defend themselves, but, as we think, to control the elections here. If the Missouri compromise had not been repealed by the Kansas-Nebraska act, I think Kansas

Territory would have been made a slave State, as most of the prominent men of Missouri considered that compromise repealed since 1850, and I have no doubt that the feeling in regard to Kansas then would have been the same as now. The avowed object of making a free State by persons living remote from the Territory, and having no interest in it, and the raising of money and means for that purpose, is the obnoxious feature of these emigrant aid societies, though there is nothing illegal in that; but it is an extraordinary interference in a remote region of the country. I think it is a new thing for free States to get up societies to make free States out of Territories.

The first extraordinary effort that the Missourians made to meet the action of these emigrant aid societies, was in the fall of 1854, or the early part of the winter, to form societies in Kansas and Missouri, in which each member pledged himself to use all honorable and legal means to make Kansas a slave State. I cannot speak of but three counties, but I have heard that, in three counties there, societies existed. In our county I knew one society existed; it was a secret society. I do not know that these societies are now in operation; I attended one up to the 30th March, 1855, and then stopped attending them, and do not know about them since.

I think, perhaps, through the influence of the members of these societies persons were induced to come over here to the election, but I do not think any who did come were members of this society. The objects attempted to be affected by this society, was to hunt up and induce pro-slavery men to come to this Territory and become actual settlers. I never heard of any fund; I deemed the society worthy, under the circumstances of the existing of the aid societies in the east. For Missourians to have done it at any time I should have considered a worthy object for the purpose of building up a bulwark around their domestic institutions as a matter of defence of their slave property, but not for any political purpose. I consider it an unworthy object for persons who derive no pecuniary benefit from it, to undertake to make Kansas a free State, and thus injure Missouri.

But since the 30th of March, 1855, I think that society has been superseded by another society, which has a fund for the purpose, of sending pro-slavery emigration to this Territory, and is regularly organized for that purpose. The fund is used in aiding emigrants, by loaning them money to get into the Territory, in providing claims, and entering the land. It is a self-defensive organization, intended to have a bearing upon the political institutions of the Territory, as far as slavery is concerned.

So far as I know anything of the society, the means of the society is not to build up mills and hotels, but to aid individual settlers in their claims, and to do with the funds of the society for them what they individually would do with their own money for themselves. I think these conversations have been formed pretty extensively over Missouri, and I think persons have been selected in Missouri to go to other southern States and build up similar societies there, but to what extent that has been done I do not know. I think the first steamboat that arrived at St. Joseph's in 1855 was on the 28th of February, and I think her name was the Polar Star. Boats arrived at St. Joseph's

from St. Louis in February, 1854, and February, 1855, if I mistake not, and that was considered an unusual thing. Every boat that arrived brought information by its officers of this emigration from the east, one stating that so many came up on his boat, and another, that his had been chartered entirely for eastern emigrants, &c., while the papers of St. Louis contained accounts of the numbers arriving there; and we also heard news by the telegraph, to the same effect, previous to the election.

I do not think any eastern emigrants arrived at St. Joseph's that spring before the election, and they came but in very small numbers at any time. I do not recollect the names of the steamboat officers who brought this news. This new society I have named was formed in the first part of last winter, and we sent lecturers to the southern States, but I never learned whether they succeeded in their errand or not.

To Mr. Oliver :

I do not know whether the charter by the Massachusetts legislature of an Emigrant Aid Society, with a capital of five millions of dollars to send out free State emigrants here, was legal or not, as I do not know the constitution of Massachusetts; but, admitting it to be legal and authorized by the constitution of Massachusetts, I think it is an unwarranted interference on the part of one State of this confederacy in the affairs of a Territory, and that such an interference is not warranted by the Constitution of the United States; that it is bad faith to the other States of the Union, and tends to a dissolution of the Union.

I do not think I would have suggested to any one in Missouri the forming of societies in Missouri but for these eastern societies, and they were formed but as a means of self-defence and to counteract the effect of those eastern societies, and I think it is the general expression, and I know it is the ardent hope of every man in Missouri that I have heard express himself, that if the north would cease operating by these societies, Missouri would also cease to use those she has established.

All that Missourians asked was that the principles of the Kansas-Nebraska act should be carried out, and the actual settlers of the Territory allowed to manage their own domestic institutions for themselves.

To Mr. Howard :

I do not know that the State of Massachusetts ever passed the charter I have referred to, but such is the rumor.

JOHN SCOTT.

LEAVENWORTH CITY, K. T., *May* 26, 1856.

MATTHEW R. WALKER called and sworn.

To Mr. Anderson :

I now reside in Wyandott City, in Kansas Territory, at the mouth of the Kansas river, about thirty miles from Leavenworth City, and
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four miles from Kansas City, in Missouri. I have resided there for about fourteen years.

Some time in the month of June or July of 1854, Mr. Jenkins, proprietor of the Union hotel, now the American hotel, requested me to favor a friend of his with the loan of a horse to go to Leavenworth. I requested Mr. Jenkins to give his friend a letter of introduction to me, and he could be accommodated with a horse. Some two days afterwards, a gentleman presented himself to me as Dr. Charles Robinson, of Boston, Massachusetts, with a letter of introduction from Mr. Walker. He staid a few moments and got the horse; he was gone two days, and returned; he staid some time with me on his return, in private conversation. He wanted to know if a company could get a situation there for a manufacturing establishment; he said he wanted to get the place for that purpose, and asked what the title would be if he concluded to purchase; he said that the company could command as much as a capital of \$5,000,000, and that this would form the nucleus of the future operations of the company; that their object was to make Kansas a free State, and ameliorate the condition of the negro. "After forming a free State, with free suffrage, by amalgamation of the Indians with the negroes," he said, "amalgamation with the whites would be an easy matter."

He said their object was to make Kansas a free State, and there would then be three free States surrounding Missouri, and that Missouri would be compelled to emancipate her slaves. It was common rumor prior to the 30th of March, 1855, that Doctor Charles Robinson was connected with the Emigrant Aid Society of Massachusetts as one of their principals.

In the private conversation before alluded to, Mr. Robinson wished to purchase a "town site" as a nucleus for the operations of his company, in the Wyandott country, and Lawrence was shortly afterwards laid out.

Just preceding the election of the 30th of March, large numbers of men from the free States landed at Kansas City, Missouri, and went into Kansas Territory; some of them went to Lawrence and some of them to other points. Sometimes there would be fifty and sometimes one hundred of them on a boat, and sometimes even more than that. The boats were then arriving almost every day, and I recollect that four arrived on one day having great numbers of emigrants on board.

I saw and noticed the baggage of these men. They mostly had black carpet sacks or hand satchels. I saw very few women amongst them. They appeared to be young and unmarried men generally. I had frequent conversations with these men. Some of them told me they came out under the auspices of the Emigrant Aid Society, and some of them to secure homes for themselves and their friends. These men came into the Territory just before the election of the 30th of March, 1855, and I saw many of them returning shortly after the election and going off on the boats.

The common rumor at that time in the mouths of everybody, so far as I heard any expression, both in the Territory and in the border counties of Missouri was, that the object of those emigrants sent out here was to make Kansas a free State. It was also common rumor,

and was generally believed, that the object of those who sent out this emigration was not only to make Kansas a free State, but also to operate upon the institution of slavery in the State of Missouri. These emigrants were generally armed with shot guns, rifles, Colt's pistols, and bowie knives.

It was common rumor also, that Governor Reeder was delaying the election of the territorial legislature until the spring emigration from the east and north could arrive and be present to participate in the election of the 30th of March, 1855. This rumor was generally believed. I did not know anybody in the Territory or on the border of Missouri who did not give entire credence to the rumor. The people of Missouri and the old settlers of the Territory were alarmed and very greatly excited at the unusual movements at the north and east, which they considered would engender civil war. It was the general feeling in Missouri to resist these encroachments of the north by all reasonable and legal means. It is the general impression, and it is my belief, that had it not been for the movements of the Emigrant Aid Societies of the east, the people of Missouri would never have interfered with the elections in Kansas Territory. The people of Missouri acted upon the principle of self-defence, and to counteract the unusual and extraordinary movements which were being made at the north.

MATTHEW R. WALKER.

LEAVENWORTH CITY, K. T., *May 22, 1856.*

CAMP NEAR LECOMPTON, *June 6, 1856.*

GENTLEMEN: Having seen a copy of the testimony given by Mathew R. Walker, and being deprived of the power to appear before you in person, I desire to submit the following statement of facts touching the testimony of Mr. Walker:

I left Massachusetts for Kansas in June, 1854, for the purpose of obtaining information relative to the same, partly on my own account, partly on account of a business firm in the place of my residence, and partly on account of a gentleman, a manufacturer in Boston. At that time no Emigrant Aid Society, with which I have since been connected, was in existence, and, consequently, I could not act as agent of such society. My first connexion with an emigrant aid society, as official agent, was some time in September, 1854, and I never had any connexion with any company with a capital of \$5,000,000.

The statement of Mr. Walker about amalgamation is without the least foundation in truth. I am not a friend of amalgamation of the African and anglo-Saxon or Indian races, and never have been; and the fact that negro slavery is the principal cause of this amalgamation in the United States, is to me a very strong argument against the institution.

The statement about surrounding Missouri with free States is, to the best of my recollection, also a fabrication. I was not acting for any company at all, except a business firm, and never said to Mr.

Walker that I was acting for a company whose object was to make Kansas a free State.

Prior to the 30th of March, 1855, but one company arrived in the Territory, in that year, under the auspices of the New England Emigrant Aid Society, and that contained about one hundred men and about seventy women and children, most of whom now reside in Kansas. I came up the Missouri river with that company and found a large number of Missourians coming to Kansas, as they said, to vote.

It was estimated that the baggage of the party with which I came weighed twenty tons, and I know of no person in the party who had no baggage except a "carpet sack."

Before I left Massachusetts, in June, 1854, and months before the Emigrant Aid Society of which I am agent was organized, I saw published accounts of meetings held in western Missouri for the avowed purpose of settling the Territory with pro-slavery men and keeping free State men out. On my way to the Territory, at that time, I heard Mr. Stringfellow swear that Kansas should and would be a slave State, and no abolitionist should be allowed to live in the Territory. He also said that if he had the power he would hang every abolitionist in the country, and every man north of Mason and Dixon's line was an abolitionist.

On my first arrival in Kansas, in 1854, it was generally understood that secret societies were in existence in Missouri for the purpose of making Kansas a slave State, and of driving free State men from the Territory, by every means in their power. I saw and conversed with persons who said they belonged to such a society, and had no reason to doubt their veracity. This was several weeks before any northern party of settlers had arrived in the Territory, as the first party from the northern States arrived in the month of August, 1854.

C. ROBINSON.

To the KANSAS INVESTIGATING COMMITTEE.

TERRITORY OF KANSAS, }
Lawrence City, } ss.

This is to certify that on the 6th day of June, A. D. 1856, at my office, near Leecompton, in the Territory of Kansas, personally appeared before me, Charles Robinson, physician, who made oath that the facts set forth in the above communication, and to which he affixed his signature in my presence, are true, according to the best of his knowledge and belief.

Sworn to and subscribed before me, a commissioner properly commissioned for the commonwealth of Pennsylvania, on the day and year above written. As witness my hand and private seal, my official seal having been destroyed by a mob which entered my office on the 21st ultimo, under the direction of the United States marshal, I. B. Donaldson, and S. P. Jones, "sheriff of Douglas county."

[L. s.]

G. W. BROWN,

A commissioner of the commonwealth of Pennsylvania.

WILLIAM P. RICHARDSON testified.

Examined by Mr. Sherman:

Question. Are you a member of any secret political society, having for one of its objects the extension of slavery into any territory of the United States?

Answer. I decline answering that question.

Question. Does such a society exist?

Answer. I decline answering that question.

Question. Did such a society directly or indirectly aid in any of the elections in Kansas, either by furnishing money, by inducing voters to come from the States into the Territory, or otherwise?

Answer. I decline answering that question.

Question. Would your answer to these questions, by the rules or obligations of such a society, impose upon you any penalty or danger of violence, or would it tend to criminate you?

Answer. It would subject me to no pains or penalties. I think it would be improper in me to answer these questions, but not that there is anything dishonorable about it, I do not think the committee have any right to ask me any such questions, and, therefore, I respectfully decline answering them.

Question. How many members of the legislative assembly of the Territory of Kansas belong to this organization?

Answer. I decline to answer that question.

Question. Has there been any regulation given by that secret society, or lodge, relative to testimony to be taken or given before this committee?

Answer. I decline answering that question, upon the ground that the committee have no right to ask me such questions.

WM. P. RICHARDSON.

LEAVENWORTH, K. T., May 15, 1856.

WM. P. RICHARDSON.

Question. Has there been any regulation given by that secret society, or lodge, relative to testimony to be taken or given before this committee?

The witness wishes to state that when that question was propounded to him by Mr. Sherman he did not fully understand it, and now wishes to give the following answer:

I know of no such thing.

WM. P. RICHARDSON.

LEAVENWORTH CITY, K. T., May 16, 1856.

J. C. PRINCE testifies.

I know that there was a secret society in Missouri. I knew it in the fall of 1854; but I do not know whether it exists now or not. I think of the party who went to Fort Scott in November, 1854, to vote, some ten or fifteen were members of this society, perhaps all, for aught I know. The society is a pro-slavery society, and the object is to get none but pro-slavery men into office; and, I suppose, it had reference to making Kansas a slave State. They had signs and pass-words, or something similar, by which we would know each other to be members of that society. The members of this society take an oath when they join the society, administered by one of the officers of the society. The subject of the oath is to keep secret the proceedings of the society, and make Kansas a slave State, the best way they can. I do not personally know John C. Davidson. I have understood he was a member of the society; but I do not know, of my own knowledge, that he was. I do not know that this society exists in the Territory. I understand that there is a society in the Territory called Kansas League, but I do not know that there is any pro-slavery society in the Territory. I do not know that this pro-slavery society exists in any State but Missouri; and I do not recollect that I have ever heard. I have understood that the society existed pretty generally in Missouri, though I think it has pretty much died away now. I suppose this society was concerned in getting persons from Missouri to come up here into the Territory to vote. I do not know that they ever raised any money, or paid any expenses for that purpose, or ever sent out any communications for the purpose of getting up voters here. They discussed in the lodges the question of sending voters here to make Kansas a slave State. I do not know, of my own knowledge, of how many belonged to the society in Missouri, but I have heard the number, though I do not now recollect it, though it was a very large number. I should not like to tell all I know about this society, because I think it would result to my injury; and that is one reason, though not the only one, why I dislike to answer in relation to the matter. One other reason is, that the members of the society take oaths to keep secrets those matters. I do not know anything, of my own knowledge, about the society called the Kansas League. I know nothing of it of my own knowledge.

JOHN C. PRINCE.

LAWRENCE, K. T., *May 9. 1856.*

 JORDAN DAVIDSON recalled.

Examined by Mr. Reeder:

I was not here at the election of the 29th of November, 1854, or the 1st of October, 1855. There is a secret society in the State of Missouri, for the purpose of introducing slavery into Kansas Territory. The proper name of the society, as recognized by its own members, is "Social Band," "Friend's Society," and by some the "Blue Lodge,"

and "The Sons of the South." I do not know as I can tell what name it is called in its own constitution and organized proceedings. I have been in a meeting or two. I have never been in any meeting in the Territory. I have seen some individuals in the Territory I believed were acquainted with it; but I have never been in any lodge here. I suppose the society was formed some time in the latter part of 1854. I never had a copy of the constitution of that society, or of the forms and obligations, and do not know that there is any. I think written minutes are kept of the proceedings of the lodges. This society existed at the time of the invasion of the 30th of March, 1855. I will give you one sentence in the work of the order. We are ordered to be governed by law. I would say there is no compulsion beyond the law. "We are to extend slavery lawfully into Kansas. We are to do no act contrary to law for that purpose." That is the sentiment. We have signs and pass-words by which we know each other. The order compelled no man to come into this Territory and vote. The other object, besides extending slavery into Kansas Territory, was to have a union of the friends of the south. The object of the society was to extend slavery into Kansas Territory as well as elsewhere. I am told the society exists in other States; but I do not know. I was told by a gentleman that he belonged to it in Virginia; but I have learned from no member of the order, except the gentleman from Virginia, that it existed in any other State.

I was first in a lodge of the order some time in the latter part of February, 1854, at Pleasant Hill, Cass County, Missouri.

Question. Was the organization of the society used as a means of notifying and concentrating the body of men who came over from Missouri to vote at the election of the 30th March, 1855?

Answer. The greatest weight it had was in this way, for protection when we did get here; that when we got into a scrape we should not fall foul of each other. The friends of the society were friends to slavery in the south, and to extend it here if we could do it by lawful means.

Examination continued:

Some of the wisest of our party, I suppose, did not fully believe that voting here was lawful, but they contended that it was right, as there were a good many others coming here to vote; I considered it right myself, and came here of my own accord. Of my own knowledge I know of no one of the other side of politics who came to vote, though there might have been five hundred, for aught I know. I knew none of them. The signs and pass-words were not made known to the body of men who came here to vote; they were not known to one fourth of the party. If there were friends to the society they could tie a piece of ribbon in their coats, and we would know whom to protect.

The organization of the society was used as some means of organizing and collecting the body of men who came over here to vote; they were to be used to find out all the friends of the party we could. There were expresses sent and received by the lodges to obtain information in relation to Kansas emigration and election. There were

no committees appointed to attend to that matter in my presence, but I heard that it was done. There were committees appointed, I think, to receive and send expresses and learn what was going on. At that period the lodges were used for the purpose of notifying persons to come together to attend that election.

I do not know that these societies had any funds collected, or any treasury for any purpose. I did not learn that they had or had not. I am not acquainted with any lodge except the one at Pleasant Hill. I do not think there were any officers there but a recorder to keep in a book the names of the members. I do not know that the society kept agents on the boats on the Missouri river for the purpose of noting the northern and eastern emigrants that came on. The members of the society were sworn on their initiation. The penalty for violating the rules and secrets of the order was all the honor a man had. A man, by violating the secrets and rules of the order, was liable to stand in society beneath the dignity of a gentleman, but to no personal injury, except as they might take a notion to inflict it. There was nothing said in the oath or forms of the society about inflicting personal harm upon delinquent members. I think I have heard from my fellow-members who founded the society, but I do not recollect what it was. I first heard of the society from Mr. Wade, in Westport. I never asked him any questions about where it commenced; I probably heard something about it last year, but I forget now about it. I think I heard it originated in Missouri. I never heard of its originating in Washington city. The first lodge I ever heard of was in Westport. A gentleman came to me at Pleasant Hill, who I supposed was the general agent of the society. He asked me some questions privately, and I answered them. He asked me if I would become a member of the society, and told me I would not be obliged to continue in it after I was initiated. I was too busy to go to meetings in day times, and too tired at night to attend much, and perhaps do not understand much about it; but so far as I do understand, I see nothing in it contrary to law. The gentleman I speak of was from Cass county, and was named Mr. Palmer—I do not know his first name. He initiated me. I did not see him with any parties over here on the 30th of March. I was never in any lodge except at Pleasant Hill. I do not think I recollect the oath precisely, but I do the substance of it. The substance of it is, that I shall not transcend the bounds of law, but to promote by all lawful means the extension of slavery. I never heard any of the leaders of the invasion of the 30th of March say it was illegal to come over here and vote. I heard an investigation of that matter in the lodge. One of the members asked how they could come here and vote lawfully, if they were objected to as not citizens of the Territory. The answer was to squeeze it in somehow, and if we could not get to vote, there was no violence to be used. I do not think the society has existed long, though I do not know how long. The amount of the conversation with Mr. Palmer was concerning my willingness to assist in the extension of slavery into Kansas by legal means, and I told him I was willing. We had no talk about the election at that time. There were residents of this Territory in the encampments at the time of the

election. I do not know how many. I do not know of more than about five or six, though I may have seen more. I do not think that any wrong done here was done by the society, except by members voting (if that be wrong) as others did.

JORDAN DAVIDSON.

LAWRENCE, K. T., *April 29, 1856.*

[Mr. Oliver objects and enters his protest against the introduction of any testimony in regard to the existence of any open or secret organization in Missouri or other States or Territories which may have had for its object the settling the institutions of Kansas Territory. The questions submitted to the investigations of the committee being "in regard to the troubles in Kansas generally, and particularly in regard to any fraud or force attempted or practiced in reference to any of the elections which have taken place in said Territory, either under the law organizing said Territory or any pretended law, which may be alleged to have taken effect therein since;" and also to fully investigate and take proof of all violent and tumultuous proceedings in said Territory at any time since the passage of the Kansas-Nebraska act, whether engaged in by residents, &c., &c. The resolutions limiting the committee to inquiries as to frauds, force, or attempted force, in regard to any elections and tumultuous proceedings, &c., and not as to the existence of societies in neighboring States or even in the Territory of Kansas, but as to the facts in regard to the specifications in the resolutions.]

PATRICK LAUGHLIN called and sworn.

By Governor King:

I came to Kansas Territory, from Kentucky, in May, 1855, and settled at Doniphan in June. When I first went there I was a pro-slavery man. I heard a great deal of complaint by free-soilers of the laws being violated and people coming over from Missouri to the election; sympathized very strongly with them, and endeavored as far as I could to vindicate their cause. I became notorious in the neighborhood for vindicating their cause, and I avowed myself a free-soiler about the middle of August, 1855. We had a district meeting of our party at the house of A. Larzelere. This meeting was for the purpose of sending delegates to a free State convention, to be held at Big Springs the 5th of September following. I acted as secretary of that meeting, and elected as a delegate to go to that convention. I was solicited the day following the meeting by several of the delegates to go ahead of them several days, for the purpose of having some printing done, and seeing what state the party was in, in other portions of the Territory. On the 27th of August I started from Doniphan for Lawrence, where I was to remain until the rest of the delegates came up. I stopped at Oceana, a place about ten miles from Atchison and fifteen from Doniphan. I went into the store of Messrs. Crosty; I had been told before getting there that these men were Yankees and

abolitionists. I went into his house and made known to him my business; he then made me acquainted with a secret military organization, by which he said the free State party was strengthened and enabled to carry out their designs more effectually. After initiating me into this organization, he gave me two books sealed up, also a letter of introduction to man at Grasshopper, all whose name I do not remember. I went there to deliver the letter and books to the gentleman, whose name I now believe to be Whitney, who was to gather a company together, and in the presence of this company I was to open the seal around these books. The company was gathered the next morning, about fourteen in number, and I broke the seal and administered according to the directions of Mr. Crosty. I not having time to remain among them, left them to elect their own officers, and organize their company. I also had a letter of introduction to G. W. Brown, of the "*Herald of Freedom*," from Mr. Crosty. I went on to Lawrence, and delivered the letter to Mr. Brown; I told him that I was a member of the secret order. I then was shown a good number of Sharp's rifles by Mr. Brown, who told me they were sent out by the Emigrant Aid Company. I remained in Lawrence until the 5th of September, when the convention before spoken of met; I went to this convention and, together with Mr. Collins, of Doniphan, was put by our delegation on the committee on platform, and several other committees. I was also made a member of the executive committee, and was appointed it in company with two Atkins, to act as a kind of governing committee, for the north side of Kansas river. It was the duty of this governing committee to see that all mails belonging to free State men of Kansas were to be carried through with safety, and in order to do this it was necessary to appoint mail carrier and other facilities. It was also their duty to appoint men in the district of the county to be designated by them, whose duty it would be to arbitrate all difficulties arising between the people. It was also the duty of this subcommittee to have speakers appointed to go through the Territory to canvass it for a free State. They were also to attend to the election returns and see that they were forwarded to the executive committee of Lawrence; a committee of the same kind was appointed for the south side of Kansas river. After the convention was over I returned to Lawrence, and got four more books of the same kind I got of Crosty, there being two packages of each. These books contained the constitution and ritual of the grand encampment of the Kansas Legion. I received them from G. W. Brown, editor of the "*Herald of Freedom*," with instructions that I was not to break the seals until I had organized two subordinate encampments, when I was to break the seals, and deliver one package to the colonel of each encampment. I was to organize one at Doniphan, and one in the Territory north of Doniphan, at any place I might think to be a suitable point. I organized the one at Doniphan the day that I returned, and delivered as directed. I then went out into the Territory to organize another, but after being out about six miles I returned back to Doniphan, where I broke open the seal and read the constitution and ritual for the first time. I did not organize any in the county afterwards. At the meeting at which I was appointed delegate to the Big

Spring convention the arguments of Dr. G. A. Cutler, C. W. Steward, A. Larzelere, B. Harding, and others, were to urge the necessity of a secret society, something on the order of the Know-nothings, by which they could unite their force and labor more effectually against the pro-slavery party. This idea was received with acclamation by all of them except myself. I being an Irishman myself by birth, was opposed to the measure, as it was too much like Know-nothingism, and told them if they pressed it they would find me their most inveterate enemy. They said they had better do without it; that they were too feeble to have any disturbance in their ranks. We had several speeches from those I have named, together with S. Collins, John Free, and B. G. Cady. They told us we must do all we could to keep slavery out of Kansas, and sooner than permit slavery in Kansas, or even submit to the repeal of the Missouri compromise, they ought to go for a disunion, and to take up arms against the authorities, and, in order to effect this purpose, they would shed the last drop of their blood, as they ought to do. Those speeches were received with applause. When Mr. Brown showed me the rifles at Lawrence he told me that they would continue to send arms, men, and means to make Kansas a free State by force, if necessary. He told me that these arms and munitions of war were sent as dry goods to the agents of the Emigrant Aid Society, who received them and gave them out to the people, and gave as a reason why they were thus secretly sent was that they might not be detected by the United States officers. He told me that the agent (I am now confident that he said Robinson, who was recognized at that time as the agent of the Emigrant Aid Society) had been on after arms, and had to remain two weeks over his time, in order to avoid being detected in getting them here. Brown furthermore told me that going on after those arms was very delicate business; that it would not do to send everybody. Robinson being a very shrewd man, had all he could do to keep from being caught. Brown's instructions to me was, that when we got thirty men in each regiment we must send a delegate to Boston, but that he must first go to Lawrence, where he would get letters of introduction to the people in Boston, who would furnish him with as many arms as we had men in the neighborhood to bear them, and that we would get them gratis. When in Lawrence I was invited by a friend to go up into a private room to see the kind of goods they received from the east. I saw a box which they were opening, and a part of the cover torn off had "C. Robinson" on it. I saw in the box blue jackets and white pants, a drum and drumsticks. I inferred they were military uniforms, but no one told me so. They nailed the box up again with the goods as they came. I saw a large house building; it had port-holes in the top of it. I was told by G. W. Brown, Lowrie, Hutchinson, and Emery that the building was for the purposes of fortification. Brown told me it was built by the Emigrant Aid Society. They expected they would be attacked in their town, as they were freemen, and would exercise the rights of freemen in the liberty of speech and the liberty of the press, and that many of their speeches and publications were in violation of the laws of the Territory, and they thereby expected to come in collision with the authorities of the Territory. When I was first intro-

duced to Brown at Lawrence, about five or ten months after, and whilst in the room with Brown, Governor Reeder came, and I was introduced as a delegate to the Big Spring convention. Governor Reeder asked me some questions about the Territory and some people in Doniphan. After he asked me those questions he and Brown got up and went into another room, and stood about twenty or twenty-five feet from me. The door being open full width, I saw them, and overheard part of their conversation. I heard my name in this conversation mentioned. I heard the name "encampment" mentioned, and the words "northern, eastern portion of the Territory," and the name of Dr. Cutler. When they got through a preacher came in. He was introduced to me as late of Boston. His name I do not remember. After passing the compliments of the morning, they sat down and began to talk about the prospects of the coming fall election, about what aid they could have. They said the pro-slavery party was thoroughly organized and united to a man, and that they ought to be as well organized and united. They then spoke of a preacher who had gone to Boston for aid, such as money, men, and means to insure their success. They spoke of this preacher as a man of great influence with the men of the right stripe in Boston to get those things. The executive committee had no connexion with the Big Spring convention. Some of its members were there after the platform was adopted. Governor Reeder came and told me that the executive committee wanted me before them immediately. I went, and he introduced me to the committee. There was a sentinel at the door for the purpose of keeping guard. When he saw Governor Reeder and myself going to the committee room he immediately gave way, without asking any questions. We went in, and Governor Reeder introduced me to the chairman, C. Robinson, and turned around and walked out. I saw a man there by the name of McCullom, I think. He offered a resolution, "*Resolved*, That every reliable free State man in the Territory be furnished with a rifle and sabre and a brace of pistols gratis, and that he be required to take an oath to come when called upon, and muster into service under his superior officer, and that he go to the rescue of any person or property brought forcibly under the jurisdiction of the present laws of the Territory." This motion, when offered, was received with applause, and seconded by several. The chairman remained quiet, as though lost in deep thought, by about two or three minutes, when he spoke up and requested the gentleman to withdraw his motion, and they would act upon it in a more private manner. All remained silent for a while, when one man spoke up and said, "I think the resolution with provisions already made." The chairman answered that he thought not, but for reasons he cared not to give he wished the gentleman to withdraw his resolution, that they might act upon it more privately. The gentleman then withdrew his resolution.

The expenses of carrying out all arrangements under this executive committee was to be paid by it, and they were to draw their means from the eastern States.

The two sub-committees that were appointed each side of the Kansas river, were to gather all the information they could which

would serve to weaken the pro-slavery party. I being appointed a member of one of these sub-committees, and living further north, I exerted myself in gathering information in the north more than any of the others did, and did all that was done in the north of Doniphan and the vicinity around it. The information that they gave me was very strong against the pro-slavery party.

Question. In exercising as sub-committee man under the executive committee, did you, in collecting information of charges which in their character were to weaken the prospects of the pro-slavery party, secure information from different free State men which were intended, though admitted not to be true, to be spread before the public in order to prejudice the public mind; if so, state what such information and circumstances were?

Answer. I was engaged by the executive committee in procuring statements to be spread before the public for the purpose of injuring the pro-slavery party. I went from house to house in the northern part of the Territory taking the statements of the free State men, among whom was Messrs. Groomes, Brown, Jamison, and several others of the St. Joseph's bottom, C. W. Steward, Richardson, and Hummer, out of the Territory; Richard Peck, Dr. G. A. Cutter, and others, of Doniphan; all of whom generally admitted to me that they were exaggerating their statements in order to weaken the pro-slavery party. They would see two or three men, some, perhaps, who had only canes in their hands, without any visible sign of other arms. From the fact that they saw them on the day of election coming from towards Missouri, they would state to me that they saw large numbers of armed men; some of them told me that they saw companies of from five to six and from eight to ten men, who would have shot guns, some of them; they would then state that they were armed with guns. If they saw a very large number, they always gave the number as covertly as they could; but when a small number, they would say a number, or a large number, as a general thing. I never chided them for making these statements, but they generally said that although the statements might be construed to mean differently from what the true facts were, they would be easy. It was not a part of my duty or instructions, as a member of the committee, to collect either false or exaggerated statements of facts. My instructions were to gather all the information in regard to the elections; and I do not know that any portion of the statements I collected have ever been published; and I do not think they have.

[Objection was made by Mr. Sherman to the foregoing question and answer, but, was subsequently withdrawn, on the ground that the testimony was not of sufficient importance or materiality to waste time about it. Mr. Howard dissenting.]

To Mr. Sherman:

I came from Ireland to Kentucky; I have been in this country about ten years. I now reside in Atchison. I am not a man of family. The memorandum of my testimony, from which I have been examined, is in my own handwriting. I furnished it of my own accord, and not at the request of any one. When I procured the

statements of "free State men," it was the last of September or first of October. I reduced them to writing, except Dr. Cutlers; and I am not certain whether that is or not. I went to them to solicit their statements, except in and about Doniphan. I reduced them to writing as they told them to me. They were not sworn, as I understood. I know that these statements were got to give information as to the contest between Reeder and Whitfield for delegate, and also to injure the pro-slavery cause. I do not know they were not published. I gave them to Marcus J. Parrott, of Leavenworth, who was, like myself, one of the members of the sub-committee, and also a member of the executive committee. I do not know what he did with them. The remarks I spoke of were not made by all those whose names I have mentioned. I cannot state which made the remark, and which did not. It was the duty to make arrangements to have the mail agents appointed. They were afraid to have their letters go through the United States offices. They said that their letters were missing, and that they could not get them through the post office. They complained that letters generally were stopped; and, at last, that their official documents would be opened and re-opened; and, therefore, they proposed to establish a mail. Brown did not complain that the goods were stopped on the way, but of mails he did complain.

It was immediately after I returned from the convention at Big Springs that I turned back and would not organize a regiment back of Doniphan. After that I took the statements I have referred to. I did not communicate my intention not to organize any more regiments to any one until some time in October, when I left the free State party and have since acted with the pro-slavery party. I was present at the siege of Lawrence when the free State hotel was destroyed, and would have been present at the first if I had been able. I have held no office in the Territory except under the executive committee of the free State party.

To Governor King:

I am the individual who had the difficulty with Samuel Collins, at Doniphan, about the first of November last, which resulted in his death. I know that that difficulty grew out of the fact that I made such disclosures to the public as I have referred to in my testimony.

PAT LAUGHLIN.

LEAVENWORTH CITY, K. T., *May 28, 1856.*

ANDREW J. FRANCIS called and sworn.

To Mr. Scott:

I reside near Osawkee, Jefferson county, Kansas Territory. I have resided there since May, 1855. I moved from Knox county, Missouri, into the Territory, and from Belmont county, Ohio, to Missouri. I lived in Missouri from August, 1854, to April, 1855. When I came into the Territory I cannot say that I belonged to either party; I took the position that slavery was just and legal, but, as a matter of expe-

diency, I would prefer to have Kansas a free State, provided there were no negroes allowed to live in the Territory. If they were to be here, I preferred that they should be under masters. There was no organized party of my opinion, when I first came into the Territory, in the section of the country where I settled. I assisted in organizing a party some four or five months afterwards, called the "free white State party," the leading principle of which was "slavery before free negroes." In some cases our free white State party acted with the free State party of the Territory, in some cases not; most generally, however, they acted with that party. When we were satisfied there was not abolitionists on the free State ticket, we voted that ticket, otherwise we had a ticket of our own. I know of a recent military organization in the Territory for the purpose of making Kansas a free State. It is well known that Governor Reeder had an election for a seat in Congress, last fall, separate from the election of General Whitfield. Reeder's election was held, I think, on the 9th of October, and I was the bearer of the returns to Lawrence, being the clerk of that election. The election was conducted in rather a loose manner; I believe I was the only sober man in the house, except Mr. Adams, a judge of election. The election was held at Pleasant Hill, about a mile from Osawkee. The votes were taken in through a window. Mr. Adams received the votes and put them in a ballot box, calling the names, some of which were put down and some not, as the votes were given in so fast. I kept both lists myself, the other clerk lying down (as I considered) drunk and partially asleep. Mr. Hicks, one of the judges, was not much affected by liquor; Mr. Hoover, the other judge, was not very sober. There were a great many blank tickets put in the box, and twelve or fourteen more tickets in the box than we had on the list. We counted out tickets enough to correspond with the number of names, and the rest were not counted. I made the returns to Lawrence according to instructions.

I started from my home to Lawrence, I think, on the morning of the 11th of October. The first gentleman I spoke to when I got to Lawrence was Governor Reeder, as I was afterwards told, though I did not know him at the time, but took him to be the landlord. I ordered him to put my horse away when I rode up. He made arrangements to have my horse put away, and invited me in the house. I went in and sat down and entered into conversation with him, still thinking he was the landlord. He asked me the news in regard to the election. I told him, but do not recollect my exact reply. I asked him what had become of Reeder, and made the remark that Reeder could have got a great many more votes if he had canvassed the Territory and proved himself to be such a man as he was represented to be, while, for my own part, I did not think he was a gentleman or any part of a nice man. He asked me why; I told him I had written some four or five letters to Reeder, upon different subjects, seeking information, and could get no answer to them, and I thought if he had been a gentleman, or anything like it, he would have answered them. He then said, "Doctor Francis, it is necessary for me to undeceive you, my name is Reeder." I merely dropped my head, being embarrassed, and got up and shook hands with him. He stated that he had

never received but one of my letters, and that so recently that he had not had time to answer it. About this time we went in to dinner. After dinner Governor Reeder and myself took a walk about the city, conversing principally upon politics. He said he was opposed to the formation of a State constitution, and went on to give his reasons for his opposition. I returned the poll books that evening to Doctor Robinson's office.

Offers were made to me by various persons to introduce me to a secret political organization. The only name I ever received as a member of the lodge was "Kansas Regulators." The next morning I was conversing with Governor Reeder, James H. Lane, E. P. Lowry, and several others, one by the name of Chapman and one by the name of Hornsby, but these latter gentlemen had merely come up to us as we were standing on the corner of the street talking. I had noticed black ribbons tied in the shirt bosoms of several gentlemen. I noticed one also tied to Governor Reeder's shirt bosom. I made the inquiry as to what those black ribbons meant. Colonel Lane asked me to go with him, and he would show me something that would please me better than what I had seen the night before. The night before I had attended a masonic lodge. Colonel Lane was in the lodge while I was there. I made some reply to Lane as though assenting to go with him, saying, I would have to see something that would please me extraordinarily well if it pleased me better than what I had seen the night before. I went with Colonel Lane to the law office of John Hutchison, as I afterwards found out. Governor Reeder did not go into the room where I was initiated. Doctor Robinson was standing just before the door, with a lady, I think. Colonel Lane asked him to leave the lady and go into the office with us. Robinson rather objected at first, but finally came in with us, and said he would explain the nature of the organization he was about to initiate me into. The substance of the explanation was, that Kansas was a beautiful country and well adapted to freedom, and the best Territory in the world for the friends of freedom to operate on, more especially for those who were engaged in the free white State cause. After proceeding in that strain for a while, he asked me if I was willing to pledge my word and honor that I would keep secret what I saw there, and who I saw there, provided he would pledge his word and honor that there was nothing that would interfere with my duties as a citizen, or that was disloyal in any respect. I replied that I was willing. He then gave me some other instructions that I do not now recollect, of about the same import as the first. Colonel Lane then took me in hand, and told me he would administer the grand obligation, which was done by my repeating after him as follows:

"I, of my own free will and accord, in the presence of Almighty God and these witnesses, do solemnly swear that I will always forever conceal, and never reveal any of the secrets of this organization to any person in the known world, except it be to a member of the order, or within the body of a just and legal council. I further make promise and swear that I will not write, print, stain, or indite them on anything moveable or immoveable, whereby the least figure or character may become intelligible to myself or any other person. I furthermore promise and swear that I will at all times, and under all

circumstances, hold myself in readiness to obey, even to death, the orders of my superior officers. I furthermore promise and swear that I will at all times, and under all circumstances, use my influence to make Kansas a free white State. I furthermore promise and swear, that all things else being equal, I will employ a free State man in preference to a Missourian or a pro-slavery man. I furthermore promise and swear, that all business that I may transact, so far as in my power, shall be transacted with free State men. I furthermore promise and swear that I will at all times and under all circumstances, hold myself in readiness to take up arms in defence of free State principles, even though it should subvert the government. I furthermore promise and swear that I will at all times and under all circumstances wear upon my person the regalia of my office and the insignia of the order. I furthermore promise and swear that I will at all times and under all circumstances bear upon my person a weapon of death. I furthermore promise and swear that I will at all times and under all circumstances keep in my house at least one gun, with a full supply of ammunition. I furthermore promise and swear that I will at all times and under all circumstances, when I see the sign of distress given, rush to the assistance of the person giving it, even where there is a greater probability of saving his life than of losing my own. I furthermore promise and swear that I will, to the utmost of my power, oppose the laws of the so-called Kansas legislature. I furthermore promise and swear that when I hear the words of danger given I will repair to the place where the danger is. I furthermore promise and swear that if any part of my obligations is at this time omitted, I will consider the same as binding when legally informed of it. I furthermore promise and swear, that at the first convenient opportunity I will commit this obligation to memory. To all of this I solemnly swear, without equivocation or self-evasion, binding myself under the penalty of being declared a perjurer before Heaven, and a traitor to my country."

I then remarked to Colonel Lane that that was a very serious obligation. He replied it was, and also stated that it was necessary for me to become acquainted with the signs and passwords. The sign of recognition is given by placing the right thumb under the chin and the forefinger of the right hand by the side of the nose, gently scratching or rubbing it two or three times. The answer to it was given by placing the thumb and forefinger of the left hand on the lower lip, as if rubbing it. The grip was given by locking the two first fingers of the right hand over each other. The words accompanying the grip are these—the one giving you the grip would ask, "are you in favor of Kansas becoming a free State?" The answer was "I am, if Missouri is willing." The means by which persons procured admission into the council was by going to the door, and rapping some three times on the door. The sentinel would then present himself; the person applying would say "Kansas," accenting the last syllable. The person would then advance to the center of the room and salute the colonel by placing his right hand just above his forehead. The regalia was this: the private members wore a black ribbon tied upon their shirt bosoms, the colonel wore a red sash, the lieutenant colonel

a green sash, the major a blue sash, the adjutant a black sash, the captains white sashes, the lieutenants yellow sashes, the orderly sergeant a very broad black ribbon upon his shirt bosom. Colonel Lane then remarked to me, that I had been made acquainted with the principles of the institution, and that it was the determination of the free State party not to submit to the laws of the legislature, nor to any oppression that might come from Missouri or any other quarter. I remarked to the colonel, that I was sworn to support those laws in taking my oath as a lawyer, and that I considered that that oath was administered by a higher power than he exercised, and hence I should not keep the obligations he had given to me, and that under no circumstances would I consent to do anything to subvert the institutions of the country, or place myself in opposition to the laws, and he might depend upon it I would expose it the first convenient opportunity. I also told him I could not consistently keep both obligations that had been imposed upon me. That I was also a member and minister of a religious denomination, and that it would not be consistent with my Christian duties to keep the obligations he had imposed upon me; that I should most certainly, when the subject came up, expose it. He stated then to me that if that was my determination, and I did express myself so publicly, I would hardly get away from the city with my life. I replied to him that I should express myself so under all circumstances, both in public and in private; that I was opposed to the thing, and was also bitterly opposed to the formation of a constitution. Upon that we went into a long argument with regard to the propriety of forming a constitution, and the subject of the organization was then dismissed. I returned home that day.

To Mr. Oliver :

There were several persons present that I did not know at the time, one of whom I have found out since. Colonel Lane, Dr. Robinson, John Hutchinson were present that I know now, having found out John Hutchinson since I was initiated. I should think I saw two-thirds of the men I saw in Lawrence with black ribbons in their shirt bosoms, and with blue, white, green sashes, &c.

To Mr. Scott :

Governor Reeder wore the black ribbon, the badge of the order. Mr. Lowry had no such badge. The Rev. Mr. Hutchinson had the badge on, as did Mr. Hornsby, Mr. Ferrill, G. W. Brown, the editor of the "Herald of Freedom," and a great many others. Major Smith wore the badge and the blue sash.

To Mr. Sherman :

The sashes are worn around the waist, just under the vest, so that the ends can be seen.

To Mr. Scott :

Colonel Lane wore the red sash, and I think some one else, but I am not certain who it was. I do not recollect of seeing anybody with a green sash. Dr. Robinson had a beautiful sash on, looking like a blue and red one joined together, trimmed with gold lace. I was told

it denoted some higher office than colonel, but I did not learn what it was.

I discovered a number of these black badges at the time of the late session of our circuit court in the county of Jefferson. I revealed this organization to the grand jury of our county. I did not know that there were any members of the order on the grand jury at the time I gave in my testimony before them. I did not notice that any of them had badges at that time. There were men on that grand jury I had heard avow themselves free State men.

John Hutchinson was called before the grand jury at the same term of the court that I was.

By Mr. King:

Ques. When John Hutchinson came down stairs, after having been up before the grand jury, what did he say to you in reference to the disclosures which you had made about this secret organization, and what he said in reference to your making disclosures before the grand jury, and what declarations he made in reference to his making disclosures before the grand jury in relation to this secret organization?

[The committee considered this question as fully competent and pertinent.]

Ans. I had been employed to defend a person there before the court, charged with a criminal offence, and the night before the trial came on Mr. John Hutchinson arrived there to assist, as he said, in defending this person. Upon his arrival in town the next morning, the trial immediately took place. After the trial was over he was called up by the clerk and sworn, and then went up stairs with the deputy marshal. In a short time he came down to attend, as he told me, to another case, and went up stairs. The next time he came down he took me by the collar and asked me to walk out of doors with him.

Now, said he, I am in a great hurry, but I wish to know whether you have made, or intend to make, any disclosures before the grand jury in regard to this secret organization. I told him that it was possible I had told them some things, and probable I should tell them some more. He said they had had him up there, and that they had got nothing, and should not have anything, from him; that a free-soiler could not get justice there, and that he would not answer any of their questions. He then walked off from me some fifteen steps, probably, and turned to me and said that I must be careful, and not let them get any secrets from me, if I did everything was ruined. He then left, and I have never seen him since.

To Mr. Scott:

In regard to the laws which were to be resisted, I understood from Dr. Robinson and Colonel Lane that they were the laws of the late territorial legislature. Nothing was said in relation to the organic law; it was not mentioned. Colonel Lane said, "We will not submit to any laws passed by that legislature, and we are making preparations to place in the hands of every free State man a Sharpe's rifle and a brace of Colt's revolvers, and if need be we will resist even the United States troops if they attempt to enforce those laws." He also stated, at the same time, that an attack had been anticipated on the

town of Lawrence the day before, and that he saw five hundred men there at their business in the streets armed; that he had seen men on the eve of battle, and seen men placed in every situation of danger, but had never seen as cool and determined a set of men as those he had seen the day before. I objected to the practice of shedding blood. He remarked to me that he was opposed to such things himself. He said that in Ohio, where I had come from, and Indiana, where he came from, it was a disgrace for men to carry arms at all, but here the time had come when they were forced to carry arms, and that if the Missourians did attack them, blood would undoubtedly be shed. That the little children about Lawrence had caught the same spirit. That his little son (about seven or eight years old) was wanting to know when he could have a revolver and bowie knife to carry with him. Dr. Robinson and Colonel Lane told me they expected to form lodges or councils in every county in the Territory. They proclaimed me a "Kansas regulator," and that was all the name I learned for a member of the organization, and gave me authority to institute lodges, and conferred upon me a sort of brevet rank of captain. This was at the time I was initiated. During the first Lawrence war they sent me a commission as captain, which I never used. I have that commission at home. A short time since, in March last, there was a paper with some fifty names attached to it and presented to me. The paper had a preamble, and some sixty names were attached to it. It was presented to me to sign by a gentleman of the name of Bainter. The object was to get me to enrol myself as a member of a military company of this order. I refused to sign it, and left it in his hands, and do not now know where it is. He told me at the time it was to be sent to Lawrence. I did not know all the names on that paper, but all that I knew were citizens of Jefferson county. Among them were William Hicks, Eph. Bainter, Lewis Hoover, Nathan Adams, Jacob Brown, Samuel Brown, John Cunningham, Sidney Stuart, and many others I do not now recollect, but whom I know live in the county. The names were in different handwritings. I did not know the handwriting of any of them but Mr. Hoover. His name appeared to be in his handwriting. The paper was drawn up in the shape of preamble and resolutions, as follows:

Whereas, bands of armed men have come into the Territory for the express purpose of taking life and destroying property, and whereas there is no law by which we can be protected therefrom—

Resolved, That we will organize a military company for the purpose of defending ourselves and our property.

That is about the sum and substance of the preamble and resolutions. Mr. Bainter said "Doc. if you don't sign it I will start it off to-morrow or next day to Lawrence, and we shall get our arms. Before I send it I shall put your name down, whether you are willing or not, so that you can draw your arms." I asked him then what arms were to be drawn, and he replied a Sharp's rifle and a brace of revolvers. I made the remark that I should like very much to have them. I did not tell him to not put my name down. He did not inform me whom he was to get these arms from. Col. Lane had told me, when I was in Lawrence, that several thousand Sharp's rifles were coming on from

the east. Mr. Bainter said that there were several thousand Sharp's rifles at Lawrence. I made no inquiry who were to furnish these Sharp's rifles in the east. Nothing was said about the Emigrant Aid Society, or of Henry Ward Beecher in connexion with these Sharp's rifles. I did not notice any black ribbon about the person of Mr. Bainter at the time he had this paper.

Before I was initiated Gov. Reeder said there were two organizations in Lawrence, and he belonged to one of them. Further than that I do not know as he said anything. One organization that Gov. Reeder spoke of was the Kansas Regulators, and the other the Kansas Legion, which Pat. Laughlin exposed. I did not learn from Mr. Reeder which organization he belonged to, but I learned from him that he belonged to one of them, and I saw a black ribbon in his shirt bosom and could very readily judge which he belonged to. I understood the arms were to be given gratis to those who became members of this military organization.

To Mr. Oliver :

I cannot tell the date of the origin of this military association, but it was some time before I had anything to do with it.

To Mr. Scott :

The signal of distress or danger: if a person was coming to a collection of people, or if he met another person he would inquire, "Is Doctor Star present, if so he is wanted at ——," naming some place. It was the duty of the members of the order to repair to that place. Politics I never heard discussed in a Masonic lodge.

To Mr. Oliver :

My commission as captain was signed by "Geo. S. Hillyer, by order of the committee of safety."

To Mr. Sherman :

I came from Belmont county, Ohio. I have lived in Pease township, Smith township, and Richland township, in that county. I was born in Belmont county, and practiced medicine there a part of the time, and part of the time worked at the printing business in the "Gazette" office. When I was about fifteen years of age, I received a license in the Methodist church, and after I became old enough to reflect and judge for myself, I left that church and joined the Christian church, and received a license to preach in that church. I have not been engaged in the business of preaching for some months. I have practiced medicine now for about five years. I practiced medicine in Scotland county, Missouri. I never made law a regular study. When I was a boy I was going to school in St. Clairsville; I was constantly using Governor Shannon's books, and in that way got a preliminary knowledge of law. I have known Governor Shannon ever since I can recollect; was born in the same town where he lived, and lived close by him. I have not seen him since I have been in the Territory. I was admitted to the practice of law in our county by Judge Le-compte, in April last. I had been admitted to the court of common pleas in our county before this time, but not to the circuit court. I was admitted to the court of common pleas a very short time pre-

vious to my initiation in this secret society. I do not know of any persons in Missouri from the counties of Scotland and Knox, coming over into the Territory to vote. I know of no secret political society in Missouri. I came into the Territory in May, 1855, and settled near Osawkee, where I now live. My political opinions were generally known. My neighbors were divided in opinion, and I do not know of their relative strength. I do not know anything about any organization for the purpose of introducing slavery into Kansas. With the exception of the "Kansas Legion," I know of no secret political organization prior to October, 1855. I cannot say of whom I got my first knowledge of the Kansas Regulators. My attention was called prominently to it the next morning after I reached Lawrence by Colonel Lane. I do not recollect of Colonel Lane ever telling me of his supporting the Kansas-Nebraska bill, though I know it. Colonel Lane and Dr. Robinson, as I know of, did not tell me the cause of their forming this organization. It was a common thing to hear persons speak about Missourians coming over here to vote. Our election of the 9th of October was held under the authority of the Big Springs convention. I took part in that election, because I had been told by men that I thought reliable that Governor Shannon had said that election would be regarded as lawful. Subsequently I found that statement was not correct, and therefore I dissolved my connexion with the party. I would not have acted in that election but for the representations made to me in relation to Governor Shannon. I should have gone to the election of the first of October at Osawkee, and voted then, but for sickness in my family. I had carefully read the proceedings of the Big Springs convention before the election. When I acted as clerk I did not credit the allegations made in the resolutions of that convention, as to armed invasions of Missourians, &c., but regarded that as the usual statements of partisans, a little too highly colored. I cannot say that I took any position with regard to the armed invasion, &c., either one way or the other. I have never regarded that there had been sufficient illegal voting at the polls to control either branch of the legislature. I acted at that election because I regarded it a legal one upon the representation made to me as to Governor Shannon's view of it. A great many others took the same view in regard to that election that I did, but others did not. I acted upon the idea that a majority of the members of the legislature had been legally chosen.

My opinion has always been this since I came into the Territory, that if the legislature were legally elected by the settlers of Kansas Territory, they had the right to make the laws; if they were not legally elected the people had better submit to them, as a matter of policy, until they could elect a legislature legally, upon the principle that honest men need no law, and rogues and disunionists needed it to the utmost extremity. Some of my neighbors took a different view of the matter, and some advocated open resistance to the laws, while my course was dictated by policy and expediency. Those who did not submit to the laws, took ground against the laws mostly on the ground of illegal election of the members of the legislature by foreign votes. I heard Colonel Lane and Dr. Robinson say they were opposed to sub-

mitting to the laws. I was willing to submit to the laws and they were not.

I never heard the obligation I have given repeated before or since it was administered to me, except when I repeated it before the grand jury of our county, and never saw it written. I have a very retentive memory, and can sit down and listen to a sermon and repeat it afterward word for word. I have frequently conned the obligation over in my own mind.

At the time I took this obligation, I formed the determination to disclose it, as I thought it my duty as a citizen and a law-abiding man to do so. That design was formed during the time the obligation was being administered to me. I told Colonel Lane my design after I had taken the obligation. Colonel Lane gave me authority to institute other councils, and proclaimed me a Kansas Regulator. I think he told me that both before and after I had told him I would make the disclosure. I have never attended a council since. I do not know of my own knowledge that any council ever existed except the one in which I was initiated. The black ribbon which I have mentioned was generally worn in the button hole, or tied to the button of the shirt bosom, in order, as Colonel Lane said, to let the Missourians and the pro-slavery men know it concealed a weapon of death. Colonel Lane told me that he had anticipated an attack upon Lawrence prior to that time, but he did not tell me from where, though he probably gave me the impression that it was from Missourians. I did not understand Colonel Lane as intending anything but a defensive movement on his part. The first object, as I understood it, was not to submit to the laws of the so-called Kansas legislature, and then to defend themselves against some anticipated attack. I know that among some of the people of the Territory there was a deep, strong, determined hostility to the laws passed by the so-called Kansas legislature, but I cannot tell how many had that feeling; and among the number of complaints were, by some, that this legislature had been imposed upon them by Missourians; others, that the laws were so severe; and last fall it was also a matter of complaint with some, that no portion of the officers, from the constable up, were to be elected by the people. The people were led to suppose that no officers were to be elected for the space of six years.

Question. Were not these complaints general among the people of the Territory, and did they not relate to the conduct of the people of Missouri in improperly interfering with their domestic institutions by controlling their elections, and, through a legislature selected in whole or in part by them, controlling all their local offices and prescribing laws for their government; and did not all these societies of which you speak grow out of their alleged unlawful interference by the citizens of Missouri?

Answer. I cannot say that these complaints were general among the people of the Territory, because some were complaining and some were not; some were for submitting to the laws and some were not. Some complaints were made in relation to the improper interference of Missourians, and some of a hundred other things, just according to the intelligence of the people. I cannot tell which was the pre-

vailing complaint. Complaints were universal among the free State men, some having four or five complaints. I heard complaints but from one pro-slavery man, for whom due allowance should be made. He said the laws were very poor things, but he was for submitting to them, and for that should receive credit. I cannot say that these societies grew out of the alleged unlawful interference by the citizens of Missouri. They did not tell me from what cause they sprang.

Question. Would there have been any difficulty in this Territory if no man but a lawful resident voter had voted at any of the elections of the Territory?

Answer. I was not here to know whether there was unlawful voting or not, and therefore I cannot say whether there would have been or not any difficulty if there had been no unlawful voting.

I do not recollect that Colonel Lane, in any of his conversations, mentioned anything about his course on the Kansas-Nebraska bill, though he might have done it casually and I not notice it.

I think it was during the last of March or the first of April last, that I saw John Hutchinson in Jefferson county, but I have not seen nor heard of him since. He left Osawkee in very much of a hurry, but I do not know whether he left the Territory or not. I do not know that he has been in attendance upon the court at Leecompton this spring, but I have not heard that he was; he may have been, but I have not heard of it. Mr. Bainter handed me the paper I have spoken of. I saw no badge or mark of the society about him; justice to him demands that I should say he was not the captain of that company. I did not say that company was connected with the society of which I have spoken; I merely made the supposition that it was. I have no knowledge that such was the case. I do not know that that company had any design other than that contained in its preamble and resolution. I do not know that companies of armed men, with cannon, have come over from Missouri; I have never seen them, and cannot testify about things I have never seen here. It is about thirty miles to Kickapoo City from where I live. The first disclosure I ever made about this society was in private conversation with Judge Tebbs, judge of the probate court of Jefferson county; I cannot say that that was a disclosure, for I merely gave him the knowledge of the existence of such a society, and of its leading principles. That was a few days after I joined the society, but I cannot say exactly at what time it was. The next disclosures I made of it was before the grand jury of Jefferson county, during the last of March or the first of April last. That was a voluntary disclosure. I had been summoned before the grand jury to testify with regard to other things, and they asked me with regard to that, and had no hesitancy in testifying about it. I think I had been admitted at the time I gave that evidence. I was not at the siege of Lawrence, and never was engaged in any wars to put down the laws of the country. The first subpoena I ever saw or heard read from this committee was last Friday or Saturday, through Dr. Tebbs, to appear here to-day. I had received a verbal message to appear at Leavenworth, and would have gone, but that my family were sick. I came here with Dr. Tebbs. I have understood that he was a

member of the legislature. It was to his brother that I made the disclosure about this secret society.

To Mr. King:

With regard to resistance and non-resistance to the laws, I heard men say in the room where I was initiated, though I did not know their names, that no officer acting under the authority of the laws of the so-called legislature should ever serve a writ upon them, and, from the tenor of the obligation that I took, I was led to suppose that one of the prime objects of the society was to resist those laws. I supposed that the military organization was to shoot down law-abiding men if they should attempt to enforce the laws. That was my supposition from the time I was initiated, and has always been my supposition. And an avowed object of the self-defence spoken of, was to defend themselves against the enforcement of those laws, even though they were enforced by United States authority and United States officers. I know that our county has been flooded with inflammatory publications, and seditious speeches have been all over the county. I was deceived thus myself. I speak of the county in which I reside, because I know more of that than any other parts of the Territory. I know that as good, and honest, and loyal men as ever lived have been deceived and led to counsel resistance to the laws from these inflammatory publications and these seditious speeches I have spoken of, and but for them, they would not have taken that position. J. W. Clark was initiated in this order at the same time I was, and his name was on this list which Mr. Bainter presented to me, and that was one of the reasons I supposed the company was connected with this society. I never saw the captain of the company in my life. I was told his name was Smith, but I do not know anything about him or where he lived. There were others in that company that gave me the sign of recognition of the order, time and again.

After I told Lane that I should not consider myself bound by this organization, I never took any part in the action of those who belonged to the society; I merely listened to them to see how far they would go, but took no part myself either one way or other.

To Mr. Oliver:

I judge there would have been no difficulty in this Territory if the free State party had submitted to the laws passed by the Kansas legislature. So far as my knowledge extends, opposition and resistance to these laws have caused all the civil war and trouble in this Territory; and since these laws have been published the resistance in our county has decreased; and I know of no other cause of trouble in this Territory but this resistance and opposition to the laws.

ANDREW J. FRANCIS.

WESTPORT, MISSOURI, *June 4, 1856.*

G. P. LOWREY recalled.

I was with Governor Reeder at Shawnee Mission during the session of the territorial legislature, and until his removal. After his

removal, about the last of August, 1855, he took his trunks, &c., from Shawnee Mission to Kansas City, to be stored temporarily, until he could go up into the Territory and make other arrangements. It was at this time that he met Mr. Parrot, at Kansas City, about the 30th of August. The governor went, about the 30th of August, into the Territory, and made his home at Lawrence, where he remained nearly all the time up to his departure for Washington. I was familiar with his plans, and I do not recollect ever hearing from him any intimation that his remaining in the Territory depended on his being nominated as delegate to Congress, or any other nomination. If there had been any ground for Mr. Parrot's "*impression*" I think I should have known it. I do not think any of the resolutions passed at Big Springs were in Governor Reeder's hand writing; certainly the resolutions repudiating the legislature were not. I was chairman of the committee to decide on day of election; we reported a resolution calling the election on another day than the one designated by the territorial legislature for reasons assigned in the report. That committee did not report, or even have offered to them, anything coming from Governor Reeder; I went to him for his advice, and he declined giving an opinion.

The private letters which I have seen published, purporting to come from Governor Reeder to myself, are not correct copies of the original letters; all his letters to me were locked up in my trunk, and the key is still in my possession; it is a peculiar one, and in order to open the trunk the lock must have been broken. Governor Reeder's trunk was in the same building, and also locked. I had in my trunk no letters or papers directed to him, so that the bundle of papers handed to Mr. Abel must have been prepared, after the robbing of both trunks, by mingling his papers with mine.

There was no resolution offered at the Big Springs convention repudiating the laws of the territorial legislature except those reported and passed, and Mr. Parrot did not object to them. There was no objection made by any one except a motion by Colonel Lane to strike out two or three words.

I am from Easton, Pennsylvania, and have carefully examined the list of voters at Pawnee on the 30th of March, 1855, and find the names of but four persons from Easton upon it. Of these I know that two have returned, both in the fall of 1855, one of them expressing his intention to return to the Territory to live.

Some time in October, 1855, I first heard of the existence of the secret society mentioned by Doctor A. J. Francis. As I understood from members of this society, the reason for its organization was that for a long time free State men in Lawrence had been subject to insult and personal attack made upon them singly, in and out of the town, in the neighborhood, by persons who were in the habit of taking every opportunity to harass and browbeat free State men when they found them unarmed and away from assistance. This society was organized expressly to make free State men acquainted with each other, and give them a common interest in defending each other. The society was purely a local one, and never, to my knowledge, has been organized elsewhere than in Lawrence. Very shortly after its organization it

produced its desired effect, and then went out of use and ceased to exist. Another object of the society was to produce a combined effort to make Kansas a free State. I do not know the name of the society, and was never told it. I identify it as the society Doctor Francis speaks of by a portion of his description of it. I never attended any meeting of the society after I was initiated, at which time its organization was broken up, and it was but the result of accident that I was initiated. Some persons desired to extend the organization to Leavenworth, and I was initiated at the time they were, as a matter of convenience to them. I have no distinct recollection of all the oath, but I know Doctor Francis testifies to matters as being in the oath which were not contained in it. The oath required us to keep fire arms and ammunition; to use all lawful and honorable means to make Kansas a free State; to wear at all times on our persons a weapon of death; and, I think, to go to the assistance of a brother when the probability of saving his life was greater than of losing our own. I do not recollect anything in the oath which required us to deal with free State in preference to pro-slavery men, or to wear upon the person at all times the insignia of the order, or to obey at all times the orders of superior officers even unto death. It was not a part of the oath to be in readiness to take up arms in defence of free State principles, even though it should subvert the government. I do not recollect that it was a part of the oath to oppose the laws of the so-called Kansas legislature. It was not any part of the formula of the society to resort to any violent or unlawful means to advance free State principles. I never knew of any society in the Territory for the purpose of resistance to the laws of the Kansas legislature, and I so testified upon a former examination. I did not consider this society as coming within the scope of the interrogatory propounded to me upon my former examination.

G. P. LOWREY.

NEW YORK CITY, *June 27, 1856.*

MARTIN F. CONWAY called and sworn.

To Mr. Sherman:

There was a secret society formed in Kansas Territory, and came to my knowledge about the middle of June, 1855. I was informally initiated into it. The object of the society was to protect the rights of the people against the encroachments of the people of Missouri. It was formed in consequence of the invasion at the previous March election, and the recent outrages in Leavenworth. There was a printed constitution, form of initiation, &c. There were a number of divisions formed in different parts of the Territory. It was found to be cumbersome and unwieldy, and it fell into disuse, and I do not know as it ever accomplished anything. This was the society which Pat Laughlin claimed to expose, and which was referred to in the report of Hon. Stephen A. Douglas of the United States Senate.

Another secret society was afterwards formed, the proceedings of

which were intended to be secret, but the existence of which was intended should be known to the public. It was instituted about the middle of September, 1855. The object of this society was to protect the movement of the people of Kansas for a free State organization against those attempts which it was expected the Missourians would make to defeat the movement. I was one of the first to engage in this movement for a secret society, and know all about it. In proceeding to accomplish the object we had in view it was necessary for us to have meetings, conventions, elections, and various other gatherings of the people, and knowing ourselves liable at such times to be attacked by pro-slavery men in the Territory, as well as by invaders from Missouri, we resolved upon this secret organization as a means of defence of ourselves, and resistance to them. It was a regimental organization, with officers such as pertain to regiments. It was neither the design nor the effect of the society to resist the laws of the alleged Territorial legislature, but was purely a defensive organization. The position we took in forming this secret society and in perfecting a State organization was, that as soon as the State government should be put in operation it would supersede the Territorial government, and the laws made under that territorial government, not by any violent method, but in the regular order of things as had been the case in other Territories; that even if the Territorial laws had been valid and of full force, they would have been superseded by the State government as soon as Congress should recognize us as a State. We considered this position established and placed beyond dispute by the sanction given by the federal government to similar proceedings in other Territories of the United States, and believing that we had a perfect right thus to take preliminary steps for the formation of a State government, we believed we had also a perfect right to take all necessary steps to defend ourselves while taking those preliminary steps against the acts of citizens of a neighboring State, and it was for that purpose alone that this society was formed. There was no printed or written constitution or formula of this society. Nearly all the free State men in and around Lawrence became members of this society. I do not know that this society extended into any other portion of the Territory besides Lawrence, and do not believe it did. I think the society fell into disuse after the siege of Lawrence and the election for the ratification of the State constitution in December last, the object of its organization having thus been accomplished. I cannot repeat the oath, and do not remember it, as there was no written form. It would generally be given in about the same form, that is, with the same ideas, but with change in the language, to express the same ideas. It was given by the colonel of the regiment, and at different times. He would give the ideas of the oath in different language, as he had no particular form of the oath to which to confine himself. I attended the meetings of the society during the month of September. There were a great many initiated every night, ten, fifteen, twenty, and thirty at a time, many who would be strangers to me. I do not recollect when Dr. Francis was initiated. Our meetings were weekly. I heard the oath administered, I should think,

a dozen times. I can recollect the general objects of the obligation, but do not recollect the exact words of the obligation.

I do not remember of ever hearing any obligation required of any member to transact all the business he had, so far as he was able with free State men. I am positive I never heard any obligation required that, under all circumstances and at all times, members should hold themselves in readiness to take up arms in defence of free State principles, even though it should subvert the government. I do not remember any obligation requiring members to oppose to the utmost of their powers the laws of the so-called Kansas legislature. I do not remember of any such obligation as: "If any part of any obligation is at this time omitted, I will consider the same as binding when legally informed of it." I do not remember any portion of the obligation requiring members to commit it to memory.

The objects of the society were plain and simple, and could be easily remembered by any one. No stress was laid upon the particular form of the obligation, nor upon any of the forms connected with the society. There was no act whatever done by means of that organization, so far as I know. No attack was ever made upon the polls of the State elections, except at Leavenworth and other points where the organization did not exist, and therefore nothing was done by means of that organization, so far as I know.

I was at Lawrence on the day of the election of the 9th of October, 1855, and voted at that election. I think the number of votes cast there that day was over five hundred, but the precise number I cannot state. The election was quiet, peaceable, and orderly.

M. F. CONWAY.

WASHINGTON CITY, D. C., *July 3, 1856.*

Dr. JOHN H. STRINGFELLOW testifies.

To Mr. King:

I came into the Territory from Missouri, Platte county, in July, 1854. I contemplated a home in the Territory as soon as the Kansas-Nebraska bill was passed, or as soon as I found that a profitable investment could be made in the Territory. I know of no arrangements made in Missouri to control the domestic institutions of the Territory. The controlling motive that started me to the Territory was a desire for gain. At the time of the passage of that bill, and prior to that time, I never heard any man in my section of Missouri express a doubt about the nature of the institutions which would be established here provided the Missouri restriction was removed, and I heard of no combination of persons either in public or private prior to the time of the organization of the Emigrant Aid Society, and, indeed, for months afterwards, for the purpose of making united action to frustrate the designs of that society in abolitionizing or making a free State of Kansas. The conviction was general that it would be a slave State. The settlers who came over from Missouri after the passage of the bill, so far as I know generally believed that Kansas would be a slave

State. Free State men who came into the Territory after the passage of the bill were regarded with jealousy by the people of western Missouri, for the reason that a society had been formed, by members of Congress and others, for the avowed purpose of shaping the institutions of Kansas Territory so as to make it a free State, in opposition to the interests of the people of Missouri. If no emigrant aid societies had been formed in the northern States the emigration of people from there known to be in favor of making Kansas a free State would have stimulated the emigration from Missouri. Had it not been for the emigrant aid societies the majority in favor of slave institutions would, by the natural course of emigration, have been so great as to have fixed the institutions of the Territory, without any exciting contest, as was in the case of the settlement of the Platte purchase. That was the way we regarded the passage of the Kansas-Nebraska bill, as by reserving a restriction to introduce southern institutions into Kansas. This and the principle of it was what induced us to support it. The fixed time that any action was taken to form societies in Missouri to counteract the movements of emigrant aid societies was in October, 1854. The end sought to be attained by the formation of these societies was to induce citizens to move into the Territory who were friendly to the institution of slavery. We held public and private meetings. The members of these societies knew each other, and in public and private pledged to use all honorable means to make Kansas a slave State. They raised no more money than for the incidental expenses of their meetings. The condition and affairs of Kansas were discussed in these meetings. We consulted and talked about the mode of carrying out our object, which was by voluntary emigration. With respect to the then approaching elections means were taken to prevent underhanded advantages, which we feared would be taken to control the elections in favor of the free State party. Part of the means taken was to come into the Territory from Missouri to prevent or counteract illegal voting on the part of hired voters from the east and other free States. I can't state how extensive these societies were. They were pretty extensive, however, along through Missouri. I don't know that ever I met with a man from another State who belonged to the society. I cannot state how many members belonged to the society on the 30th of March, but I do not think any more belonged to it then than at the first election in November previous. I can't say where or whether any division of Missouri was made in these societies so as to go to the different polls in Kansas. Some of these societies existed to a limited extent in the Territory. They were united associations, with officers, and they communicate with other societies through their officers. The design was to direct or advise rather than to assist persons where to settle in the Territory. Since the election of the 30th of March public organizations or aid societies have been formed all through the slave States, so far as I can learn, to enable settlers favorable to the institution of slavery to reach the Territory without assuming any control over their acts after they get here. Several gentlemen have left the Territory and the border of Missouri since March election in 1855, and visited the slaveholding States and addressed the people, urging the importance pecuniarily and publicly of a pro-

slavery emigration to Kansas Territory. The emigration from the southern States this spring has been large, which I attribute more to the general belief of the importance of such emigration rather than to the societies or Missourians. I don't know about money being raised for the aid of southern emigrants now here except from the newspapers of Missouri. All the elections that have been held in the Territory have turned upon the question of slavery or anti-slavery, free and slave institutions. There are but two parties in the Territory—the abolition and the pro-slavery party; and the real and immediate difficulties in the Territory are attributable solely to Governor Reeder and his particular friends in denying that there was any law in this Territory.

Cross-examined by Governor King:

Some two or three days after the election of the 30th of March, I went down the river from Leavenworth City to Kansas City. At Leavenworth City there were some fifty persons who came aboard the same boat, and in conversation with them, I learned they were persons from the free States who had recently arrived in the Territory; had voted in the Territory, and were then on their return to their respective homes in the free States with no expression of their intention of returning to the Territory. At Kansas City a still larger party embarked on the same boat, some of whom I knew to be, from their conversation, free State men, who had arrived in the Territory immediately preceding the election, and were then on their return to the free States.

About the middle of April, I started to Virginia on the steamer "New Lucy." At Leavenworth and Kansas City there were large numbers of persons from the free States, who had gone into the Territory just before the election of the 30th of March, and were then on their return to the free States. I learned from them that they had voted in the Territory.

JOHN H. STRINGFELLOW.

LEAVENWORTH CITY, K. T., *May* 27, 1856.

AMOS REES called and sworn.

By Mr. Sherman:

I came into the Territory in July, 1855, from Platte County, Missouri.

Question. State what you know about citizens of Missouri voting at an election held in this county to fix your county seat. State what means were taken, if any, by citizens of Missouri to control that election, and whether or not their action led to the selection of Delaware as the county seat instead of Leavenworth.

[Governor King objected to this question, and the committee held that as the election referred to was simply local in its character, and did not grow out of the political controversies in the Territory, they would not investigate it.]

I lived in Platte City ten years, and came into Missouri in 1818. I was at the election 30th of March, 1855, and voted here at that election. I desire to say, in connexion with my voting, that my property was here mostly. I was one of the original proprietors of the town. I had fully determined on to move here. I had my contract out for building a house, and had determined never again to vote in Missouri, in my own mind, and certainly never would have done so unless I altered my disposition to change my residence. At the time I voted I looked upon myself as a resident here as much as I do now. I know Hon. David R. Atchison well. He lived in the same town with me, and we practised law together. I know from general rumor that General Atchison and a company from Platte county were in the Territory. Upon reflection, I am of the impression I did hear General Atchison say that he was in a camp on the Nemaha at the March elections, but that he did not vote. I should say that there were two hundred persons in the Territory from my neighborhood, from Platte City, down in the southeastern part of that county. A great many of those who were on here, were men who had been here and made their claims and improvements, and many of them are here now. Judge Morton, I think, was not in the Territory. Judge Almore was at this place at the election. I recognize the following names as, at the time of the election, being citizens of Missouri: Thomas Beaumont, John B. Wells, George Quinly, (but who is now a citizen of this county,) William H. S. Pratt, William J. Morris, John Venomon, N. A. Wilkison, Randall A. Gordon, Robert Peirce, R. N. Chim, (now a citizen of the Territory,) E. T. Peirce F. Marshall, Samuel R. Offutt, A. P. Walling, T. R. Buckhard, James Doniphan, William Dickie, (now in the Territory,) W. Christerson, (now in the Territory,) Smith Calvert, Joseph Mowers, C. E. Woolfolk, Jesse Vineyard, George W. Dye, John D. Harper, W. S. Orffut, P. R. Waggoner, James Barbee, Jacob Pitts, William A. Gabbolt, A. Gilbert, Isaac Archer, J. C. Cockrill, Edward Duncan, L. P. Styles, William A. Gurthie, Samuel Fernandes, (now in the Territory, and one of the original proprietors of the town,) Joseph Halliday, Joseph Murphy, William A. Newman, Michael Birch, H. G. Wolf, (now clerk of the court of common pleas, but was not on the 30th of March.) These are principally citizens about Weston. I could, by taking time, furnish a list of those about Platte City who came here to vote, but my memory of names is poor, and I cannot now do it, but a great many did come over. I only know about companies from other counties coming over by hearsay. I saw a few men from Ray county, some of whom I knew, who told me they were coming over into the Territory.

By Governor King:

At a very early day after the passage of the Kansas-Nebraska act, it was reported currently in the newspapers, and believed, that there was a regular organization of the abolitionists of the north to colonize in this Territory their men, through their Emigrant Aid Society, to carry and control the elections upon the subject of slavery; and, furthermore, through this organization, to control the institution of slavery in Missouri. Immediately after that there was a great deal of

feeling and excitement in the upper part of Missouri. It was looked upon as an intermeddling with our own business by foreigners. Following that immediately there were repeated public meetings in Platte county, for the purpose of taking into consideration the effort on the part of northern men, and our duties in connexion with it. I presume I attended some four or five of these meetings. There the question was freely and fully agitated as to our duties in that state of things, and for the purpose of defending ourselves against what we looked upon as an aggression. In these meetings different gentlemen took different positions. Some favored the idea of coming over here and meeting them by voting at the elections, looking upon that as being of the same character of opposition as practiced by northern people; others approved that idea and were in favor of immediate and extensive emigration and settlement. It was ascertained that it would be impossible to emigrate and settle, in time for the election, men enough to meet the imported vote. Then it was finally determined upon, in view of the fact that large masses of men were reported to be on their way to the Territory in time for the March election, to send over our own men and meet them in their own way. I fully believe that there would not have been any excitement in the border counties of Missouri, or illegal voting in the Territory by Missourians, except from the reasons above. It was difficult to get the people around about it, and I was one of those who was active in doing it. The knowledge of the time of the election of the 30th of March was kept back from us, and before we ascertained what day the election would be we heard, by general rumor, that numbers of persons were coming up the Missouri river belonging to the northern emigrant society. The rumor was currently circulated and generally believed, and our action was based upon this rumor.

To Mr. Sherman:

My impression is that the Kansas-Nebraska bill was passed on the 30th of May, 1854. Upon the passage of that bill it was generally understood that Kansas would become a slave State, as we intended to do all we could, legally, to make it so. When the two Territories were organized, under the same bill, it seemed to be a tacit understanding, universal among our people, that Kansas was to be a slave State and Nebraska a free State. As soon as the emigrant aid societies began to interfere with this understanding it created a great excitement. Immediately after the passage of the bill, and, indeed, before it, a number of emigrants came across the river, all entertaining the common belief that I have expressed—that here were two Territories, one to be a slave State and the other free; although the early settlers came over to make money and had not the idea of slavery in their minds. I am willing to state, then, that we always acted under the idea that slavery existed in the Territory since the passage of the bill. Any movement by societies or organizations connected with foreign influence would have heated the same excitement if it tended to lead to the prohibition of slavery. The people of Missouri felt a deep interest in establishing slavery in Kansas, and regarded it as necessary for their safety. My opinion is, that without

this foreign influence individual societies and organizations might have gone on to promulgate their opinions, and put forth their efforts to make this a free State, without ever having produced any unnatural excitement. The people of Missouri felt that through the institutions of Kansas their institution of slavery was to be affected. And if they had seen large masses of free State people settling here, that they would have endeavored to counteract it by throwing over their citizens as settlers of the Territory. I saw no emigration from the north of the class I have mentioned coming up the river.

I know Lewis Burns. He lived in Weston on June 10, 1854. J. H. R. Cundiff lived in Parkville, June 10, 1854. I have looked over the proceedings of a public meeting, published in the Parkville Luminary of June 10, 1854, of which Mr. Burns was president and Mr. Cundiff was secretary. I do not recognize the proceedings of that meeting but the eighth and ninth resolutions, which were as follows :

8. *Resolved*, That we recognize the institution of slavery as already existing in the Territory, and recommend to slaveholders to introduce their property as fast as possible.

9. *Resolved*, That we afford protection to no abolitionists as settlers in Kansas Territory.

According to my belief they embody the general sentiment at that time, and which has continued to the present time, and is worse now than it was then. When I speak of this ninth resolution I mean abolitionists in its proper sense. I do not mean a man who is in favor of a free State, or a man who may be properly called a free-soiler. Such men I esteem to be gentlemen and have no objection to their settlement here. But by abolitionists has been understood here, in this community, to be men who believed it to be a virtue to steal and run off slaves.

I was over at the election of November for General Whitfield ; and, indeed, have voted at every election in the Territory, as I regarded myself a citizen of that Territory from the beginning.

AMOS REES.

LEAVENWORTH CITY, K. T., *May* 30, 1856.

WM. H. TEBBS recalled.

To Mr. King :

I was a member of the last grand jury of Jefferson county, Kansas Territory, which sat about the 2d Monday in March last, and from that time on to the first of April. Dr. Francis was examined before the grand jury. I knew a Mr. Hutchinson a lawyer who was before the grand jury. Mr. Hutchinson made his appearance there in Osawkee, and after those developements were made before the grand jury by Dr. Francis, and he had said that Mr. Hutchinson was in the lodge when he was initiated, we summoned him to appear before us. Before we asked him any questions I gave him to understand that some developements had been made before us. I put questions to him in relation to this order, which he immediately refused to answer, on the ground that they would criminate himself, and that we had no

jurisdiction over the matter, as we were enquiring about what was out of our county. The question was then written out, and submitted to Judge Lecompte, who presided, and he decided it was competent. When we returned into the jury room Mr. Hutchinson then immediately asked permission to go into the court room below and attend to a case he had there. We told him that as a matter of courtesy we would let him go, but we would expect him to return as soon as he got through his case. We waited some time, and he did not return, and he never came back again, and I have never seen him since.

To Mr. Sherman :

We had been interrogating him in relation to this secret society in Lawrence. Judge Lecompte held that we had no authority to enquire as to what took place in Lawrence, unless we believed it implicated some one in our county. We did so hold, and upon that ground he decided the enquiry competent.

W. H. TEBBS.

WESTPORT, MISSOURI, *June 4, 1856.*

JOHN SCOTT testifies.

To Mr. Oliver :

Prior to the election in Burr Oak precinct, in the fourteenth district on the 29th of November, 1854, I had been a resident of Missouri and I then determined, if I found it necessary, to become a resident of Kansas Territory. On the day previous to that election I settled up my board at my boarding-house in St. Joseph's, Missouri, and went over to the Territory and took boarding with Mr. Bryant, near whose house the polls were held the next day, for one month, so that I might have it in my power, by merely determining to do so, to become a resident of the Territory on the day of election. I was present at Mr. Harding's when the polls were held on the morning of election prior to and at the time the judges were appointed. When my name was suggested as a judge of the election, no such suggestion had been made to or in regard to me that I was aware of, until the hour of opening the polls had arrived, when, by the absence of two judges appointed by the governor, it became necessary to select others in their places. When my name was proposed as a judge of election, objections were made by two persons only, so far I knew, Messrs. Harding and Larzelere, in regard to my want of residence in the Territory. I then publicly informed those present that I had a claim in the Territory; that I had taken board in the Territory for a month, and that I could at any moment become an actual resident and legal voter in the Territory, and that I would do so if I concluded at any time during the day that my vote would be necessary to carry that precinct in favor of the pro-slavery candidate for delegate to Congress, and that I knew of no law requiring a judge of that election selected by the voters present to be a resident of the Territory. I was then elected, took the oath prescribed by the governor, and faithfully and impartially discharged the duties of judge of that election, swearing

every man who offered to vote, and was not known to be an actual resident of the Territory, requiring each one to state that that was his actual place of residence in preference to all other places. I did not during the day consider it necessary to become a resident of the Territory for the purpose mentioned, and did not vote or offer to vote at that election. The statements made by Alfred Larzelere in his testimony before this committee in regard to my declaring myself a citizen of the Territory is false, and he knew it to be so when he made it. Benjamin Harding, the only judge appointed by the governor who was present, claimed the right publicly to select the other two judges, and undertook to exercise that right, which caused a great deal of excitement among the people present. He also claimed the right before being ratified as judge to determine who were and who were not qualified to vote for judges, or to be selected as judges of election. Concluding I was not qualified to act as judge, he refused to put my name to vote when nominated by persons present, whereupon it was done by some of the bystanders, and I was almost unanimously chosen judge of that election by those present. No efforts, that I know of, were made to interfere with any one entitled to vote.

Cross-examined by Mr. Howard :

I held the office of city attorney for St. Joseph's at that time, and had held it for two or three years previously, and continued to hold it afterwards until this spring. I never acted as judge of election in St. Joseph's in my life. I voted at an election in St. Joseph's; in the spring of 1855 I was re-appointed city attorney. The question of slavery was put in issue at the election of November, 1854, to the same extent as in every election in this Territory. General Whitfield was regarded as the pro-slavery candidate, and had been selected as the pro-slavery candidate by the pro-slavery party. I regarded the question of slavery as the primarily prominent issue at that election, and, so far as I know, all parties agreed in making that question the issue of that election. My removal into the Territory would have vacated my office without any resignation of my office, and if I had determined to become a citizen of the Territory on the day of election, when I acted as judge, my office of city attorney of St. Joseph's would have thereby become vacated without any further action on my part. It is my intention, and the intention of a great many other Missourians, now resident in Missouri, whenever the slavery issue is to be determined upon by the people of this Territory in the adoption of the State constitution, to remove to this Territory in time to acquire the right to become legal voters upon that question. The leading purpose of our intended removal to the Territory is to determine the domestic institutions of this Territory when it comes to be a State, and we would not come but for that purpose, and would never think of coming here but for that purpose. I believe there are a great many in Missouri who are so situated. This is one of the means decided upon by Missourians to counteract the movements of the Emigrant Aid Society to determine the character of the institutions of this Territory when it comes to be a State.

JOHN SCOTT.

LEAVENWORTH CITY, K. T., *May* 27, 1856.

ANDREW H. REEDER called and sworn :

I was appointed governor of the Territory of Kansas about July 1, 1854, and as soon as the nomination was confirmed by the Senate, I proceeded to Washington city, at the request of the President of the United States, and remained there till the adjournment of Congress, in the first week of August, engaged in procuring necessary legislation for the Territory. I returned to Easton, I think, on the 7th of August. My arrangements for closing up a most extensive private and professional business, extending over six counties, were seriously retarded and prevented by a term of three weeks' court which followed ; and on the 21st September I departed for the Territory, leaving my business in a most unsatisfactory condition. I landed at Fort Leavenworth on Saturday, the 7th day of October, and made it my first business to obtain information of the geography, settlements, population, and general condition of the Territory, with a view to its division into districts, the defining of their boundaries, the ascertainment of suitable and central places for elections, and the full names of men in each district for election officers, persons to take the census, justices of the peace, and constables. In a very few days I discovered that the procurement of this knowledge, in consequence of the newness of the population, was utterly impossible, by any other means than by a tour through the Territory. I found that, unlike most new Territories, the settlements of which cluster along a single line, the small population of Kansas was sparsely distributed over a surface of about 20,000 square miles. With some trouble arising from the want of travelling facilities, I made the necessary arrangements, and on the 14th of October I left, with two of the Territorial judges, Messrs. Elmore and Johnson, the district attorney, Mr. Isaacs, the United States marshal, Mr. Donaldson, and my private secretary, Mr. Williams, for a trip into the interior, to procure the requisite information. The secretary and chief justice had not then arrived in the Territory. I took in the route the payments of the Pottawatomie and Kansas Indians, where a large number of whites as well as Indians were assembled ; and having made full notes of all the information procured from Indians and whites, I completed my trip, and arrived at Fort Leavenworth on the 7th of November. I then saw that if the election for delegate to Congress (which required no previous census) should be postponed till an election could be had for legislature, with its preliminary census and apportionment, the greater part of the session, which would terminate on the 4th of March, would expire before our congressional delegate could reach Washington ; and I deemed it best to order an election for a delegate to Congress as early as possible, and to postpone the taking of the census till after that election. I was more convinced of the propriety of this course, by the fact that the common law and many of the United States statutes were in force over the Territory, and could well be administered through the courts established by Congress, and the justices and constables whom I was authorized to appoint ; and by the additional fact that whilst the citizens of Missouri were vehemently

urging an immediate election of the legislature, the citizens of the Territory were generally of the opinion that no immediate necessity for it existed. I prepared, without delay, a division of the Territory into election districts, defined by natural boundaries, easily understood and known, fixed a place of election in each, appointed election officers for each poll, and ordered an election for congressional delegate to take place on the the 29th of November, 1854, and by the 15th of November my proclamations were issued, containing a description of the districts, with all the necessary information, instructions, and forms.

These proclamations were immediately distributed by express throughout the Territory. About the 24th of November the want of necessary conveniences induced me to remove the executive office to Shawnee Mission. By the fifth of December the returns of the congressional election were made, and on the sixth a certificate of election was issued to J. W. Whitfield, who stood highest on the return. Immediately thereafter public business called me into the interior of the Territory, and, having attended to the same, and also to some private business incidentally, which latter, however, did not detain me over two days, I returned to my office about the first of January, and immediately commenced the preparation of books and precepts for taking the census, preparatory to an election for the legislature. Much unavoidable delay occurred in the proceeding from the want of mail and travelling facilities, the difficulty of notifying the various and more remote persons appointed to take the census, from the sparseness of the population in making the enumeration and return; and yet in less than seventy days the census books and the instructions were distributed over the entire Territory, and the enumeration was fully completed and returned. A return day was fixed in the precept of each census taker, but several of them found it necessary to prolong the time in order to complete their work, and the last returns were made late in the evening of Saturday, the third of March. I immediately proceeded to make the apportionment, designate such new election precincts as had become necessary, to appoint election officers, and to prepare necessary forms and instructions; and on the sixth or seventh of March my proclamation for the election on the thirtieth was completed, and despatched by express to the printing office, about forty miles distant; a large number of copies were received by me of the printer, and immediately distributed through the Territory, under arrangements previously matured for that purpose. The precise day of the election was never fixed by me, or communicated to any one else, at home or abroad, until about the sixth of March, when I was writing the proclamation. Before the returns of the census had been all received it was impossible to fix the precise day, and I could only judge that the election would probably take place about the twenty-fifth to the twenty-eighth of March, and I did not hesitate so to state, without reserve, to citizens of the Territory who made inquiry. I so stated to a number of prominent men of the pro-slavery party, and it was editorially announced in the *Frontier News*, published at Westport, some time before the election, (I think more than four weeks before,) that the election would take place on

the twenty-eighth of March. Among the gentlemen to whom I recollect having communicated this information were Thomas Johnson, A. S. Johnson, Daniel Woodson, and John A. Halderman, all prominent men in the pro-slavery party. The first men to whom the precise day was made known after I had determined it were Daniel Woodson and John A. Halderman, esqs., which was on the sixth or seventh of March, and it was at once made public by them and myself. I did not hesitate at any time to state to persons around me, of both parties, all that I could know myself in relation to the day of election, and I did not communicate it to the Emigrant Aid Society or their agents, or to any one else in the States, except, perhaps, to some persons in the State of Missouri. In the appointment of justices of the peace, constables, census takers, and officers of election, I was careful to select men indiscriminately from both parties, with a view to treat all persons fairly, and afford no cause of complaint. At the election of the twenty-ninth of November a large majority of the officers of election were, as I believe, pro-slavery men. Of the twelve men appointed to take the census six were pro-slavery men. A fair proportion of the justices and constables were also pro-slavery men. My private secretary, Mr. Williams, having resigned, in November, 1854, I appointed a pro-slavery man, John A. Halderman, esq., who served until July 1, 1855. At the election of the thirtieth of March more than one-third of the election officers were, as I believe, pro-slavery men. Anticipating, however, an invasion of illegal voters from the State of Missouri, I was careful to appoint in most of the districts, especially in those contiguous to Missouri, two men of the free-State party and one of the pro-slavery party. Notwithstanding all my efforts, however, at fair and impartial action, my person and my life were continuously threatened from the month of November, 1854. As early as the 15th day of November, 1854, a meeting was held at Leavenworth, composed almost exclusively of Missourians, presided over by a citizen of Missouri, at which I was bitterly denounced, and a committee appointed, composed partly of citizens of Missouri, who waited upon me, and insisted upon an immediate election for the legislature. Their communication and my reply can be found in the newspapers of the day. This meeting was held immediately after the appearance of my first proclamation, and is generally attributed by both parties to the fact that that proclamation contained a provision for contesting elections before me illegally held, and did not provide for an election for the legislature. The election was held on the thirtieth of March, as ordered, and an invading force from Missouri entered the Territory for the purpose of voting, which, although it had been openly threatened, far exceeded my anticipations. About the time fixed as the return day for that election a majority of the persons returned as elected assembled at Shawnee Mission and Westport, and remained several days, holding private caucuses at both places. I had frequent conversations with them, and they strenuously denied my right to go behind the returns made by the judges of the election, or investigate in any way the legality of the election. A committee called upon me and presented a paper, signed by twenty-three or twenty-four of them, to the same effect.

Threats of violence against my person and life were freely afloat in the community, and the same threats were reported to me as having been made by members elect in their private caucuses. In consequence of its being reported to me that a number of the members in their caucuses in their speeches had declared that they would take my life if I persisted in taking cognizance of the complaints made against the legality of the elections, I made arrangements to assemble a small number of friends for defence, and on the morning of the sixth of April I proceeded to announce my decision upon the returns. Upon the one side of the room were arrayed the members elect, nearly if not quite all armed, and on the other side about fourteen of my friends, who, with myself, were also well armed. My official action upon those election returns was entered upon the executive minutes, and is already in the possession of the committee. I was not then aware of the frauds perpetrated in the other districts, which were not set aside, as no complaints had been filed, and the facts had not been communicated to me. Sufficient opportunity for contesting the election had been given by the proclamation. The form of complaint required was very simple, and full five days, exclusive of the day of the election, were allowed for filing it. The most remote polls were within three days' journey, or less, of my office, which was kept open till midnight of the last day. The reasons why they were not contested have been already stated by other witnesses. I left the Territory about the middle of April, and came east for the purpose of taking out my family and attending to private business, as well as for the purpose of consulting with the President in regard to the state of things in the Territory. In the month of December, 1855, or January, 1856, I communicated my intention to the town association of Pawnee to call the legislature at that place, provided they would erect a suitable building for their accommodation, which they did. About the time of the decision on the returns of the election the members elect then assembled requested that I should convene them at the Shawnee Mission, which I could not consent to do, inasmuch as the Pawnee Association had already expended considerable money in the erection of their building, and because I did not consider the Shawnee Mission a suitable place for their meeting. They immediately declared their intention to adjourn to the Mission if convened at Pawnee, and authorized Rev. Thomas Johnson to purchase furniture, bedding, and provisions for their accommodation at the Mission. Before leaving the Territory I issued my proclamation for convening the legislature at the town of Pawnee on the second day of July. I returned to the Territory about the twenty-fourth of June, and proceeded to Pawnee, where the legislature met on the day appointed. The building in which they assembled was of stone, two stories high, about forty feet by eighty, well provided with seats and writing-tables. Ample accommodations for boarding and lodging existed in the town: a comfortable boarding-house, kept by Major Klotz, which would have accommodated forty or fifty; a large boarding-house, kept by Mr. Teeple, which would have accommodated at least twenty; another boarding-house, kept by Mr. Knapp, which would have accommodated nearly as many; and a comfortable boarding-house, kept by

Mr. Lowe, at the fort, which would accommodate from fifteen to twenty—this was about two miles distant, and a carriage was run back and forwards for the accommodation of their boarders. About the sixth of July they adjourned from that place to Shawnee Mission. The disagreement between the legislature and myself as to this removal, and all subsequent proceedings, are already in the possession of the committee. I was removed from office the last of July, and received notice on the fifteenth of August. During my presence in the States I went to the city of Washington, where I arrived in the beginning of May, 1855. I at once saw President Pierce, and had a full consultation with him on the state of things in Kansas, which was protracted for more than two weeks, and kept up almost daily. I gave him, in the fullest manner, all the information which I had upon the subject, and endeavored to impress upon him the conviction which was upon my mind, that unless some decided course was taken the actual settlers of the Territory would be subjected to most cruel persecution; that there was evidently a settled determination on the part of the border counties of Missouri—strong in men and means—to deprive them of the right of governing themselves and regulating their own affairs. I stated to him that the seizure of the polls at the two elections which had been held, together with the intermeddling and tyrannic spirit which pervaded the entire action of our Missouri neighbors, concurred with all the information I had received to convince me that there was a settled determination, by intimidation and force, to subjugate the Territory entirely to their will, in defiance of the right of the majority and the principle of the organic law. I had learned some new facts since the grant of the certificates of election, which I also made known to him. Indeed, I stated to him all my knowledge and all my views in the most candid manner, for I had still the fullest confidence that he would share all my indignation at the gross wrong of this foreign interference. I had several times written him on this subject from the Territory. Immediately after the election of the twenty-ninth of November, at which the most disgraceful scenes had been enacted, I wrote him fully what had taken place, and expressed my views on the subject without reserve. Previous to that election I had also written him, and that such an invasion was openly threatened, but expressed the opinion that, by careful provisions in my proclamation, I could counteract it, for I did not then credit that it would be carried to such extremes of recklessness and violence. A short time previous to the election of the thirtieth of March I had again written him that the same thing was again threatened. These letters, however, were private, and I now see that I committed an error in making them so; but I then had confidence that he felt upon the subject as I did, and that the cause of truth and justice would be best subserved by intrusting the whole matter to his discretion, without forestalling or hampering his future action. The President, in our interviews, expressed himself highly pleased and satisfied with my course, and in the most unequivocal language approved and endorsed all I had done. He expressed some regret, however, that my speech in Easton had omitted all allusion to the illegalities of the Emigrant Aid Society, and thought it was perhaps

unnecessarily strong in its denunciation of the Missouri invasion. I told him I had no knowledge of the operations of the Emigrant Aid Company except what was before the whole public, and that so long as they had not sent out men merely to vote and not to settle, (of which I had no evidence and which I did not believe,) I could not consistently denounce their course as illegal. He stated that this Kansas matter had given him more harassing anxiety than anything that had happened since the loss of his son; that it haunted him day and night, and was the great overshadowing trouble of his administration. He stated that the most pertinacious complaints of me had been made to him, and the most urgent demands had been made for my removal upon every ground that could be got up; that Gen. Atchison pressed it in the most excited manner, and would listen to no reasoning at all. As to the charges of purchasing Indian lands and interests in towns, he said he was entirely satisfied as to the former, that it was all fair and honorable, and that hundreds had done so before me—ridiculed Mr. Mannypenny's objection to it, and said he had rebuked him when he talked to him of it; he was, nevertheless, sorry, under the circumstances of this case, that I had made any purchases, as they made a pretext for my enemies to annoy him with demands for my removal. As to the purchases of town property he said he was entirely satisfied, from his confidence in me, that they were all right, but he wished me to explain them to him and refer to the acts of Congress under which towns were laid out, so that he might be prepared to justify me and himself when the subject came up before him. I accordingly gave him all the information on the subject, both as to law and fact, which was in my power, and stated what was the fact, that in no one case had I been concerned as an original projector in the laying out of any town, but in every case had acquired my interest subject to the original laying out. He expressed himself satisfied except that he thought the act of May 28, 1844, did not authorize the laying out of towns except on lands which had been surveyed. I replied that the Commissioner of the Land Office had so construed the act as to recognise towns which had been laid out before the survey, and that Mr. Wilson would so state to him if he would inquire; and that this construction was right and necessary, for it was idle to expect the Territory to be settled if it was to remain two years without towns. He expressed himself satisfied, and the subject was then dropped. He wished no explanation nor found any fault as to the contract for half-breed Kaw lands, but, as I have already stated, he expressed himself, in strong language, entirely satisfied as to the fairness and honorable character of the transaction.

I, however, pressed that and another matter upon his attention. The contracts for these lands had been before him with the accompanying papers in the month of January previous, and upon Mr. Mannypenny's making a most violent and high-tempered report against them upon the grounds of unfairness, as well as of technical want of conformity to the rules of the department, he had returned them to me, simply declining to confirm them. I now called his attention to them again, and, as he had expressed himself fully satisfied of their honesty and fairness, I requested him to examine the additional papers and depositions which we had procured to supply technical defects and a legal argu-

ment I had made to demonstrate, from the decisions of the Supreme Court, the acts of Congress, and opinions of the Attorney Generals, that the whole case and all we had to say upon it was before him, and requested him to examine them and decide it. He asked me to hand the papers to Gov. McClelland, Secretary of the Interior, and I did so. The second matter to which I called his attention was the town site of Pawnee. I had informed him that my proclamation named that place for the meeting of the legislature, and gave him, as a reason for so doing, that it was remote from the influence of Missouri. He approved of it very cordially, and a day or two thereafter I complained to him of what I considered the unfair action of the War Department. I stated to him that as soon as it was ascertained or suspected that I would call the legislature together at that place, it was at once assailed through the press and otherwise to break it down; that a free-State population recently had commenced settling in and around it; that it was obvious its natural advantages would attract emigrants; that its distance from Missouri would constitute a great objection to the projectors and friends of the foreign invasion of our Territory, whilst the same reasons would, in a few years, make it a rallying point for northern men, and draw about it a large settlement; that this was foreseen by the Missourians, and hence their hostility to it and their determination to break it up; that I had been informed by a reputable and credible citizen of Missouri that General Atchison had written to General Davis on the subject, and that difficulties had been started in regard to the military reserve of Fort Riley, and as to a dispute between the commanding officer there and a couple of intruders, which had so resulted as that the War Department had declared it, wrongfully as I believed, within the military reservation; that after a number of houses had been erected, besides a large hall for the meeting of the legislature, and after it was known throughout the States that my proclamation had convened the legislature there. I explained that Colonel Montgomery had been ordered to survey and proclaim a military reservation at that place, and not being prepared to do so early enough to keep off settlers, had made a provisional reservation without survey of ten miles by eighteen, until he could fully comply with the order by selecting what land he would want, and surveying and proclaiming it. That in the mean time some of the officers of the post, the sutler, and some other gentlemen, had conceived the idea of a town in that vicinity, and some of them had addressed Col. Montgomery a letter, stating their wish to lay out a town, designating two places which they supposed he would not include when he came to survey his reservation, and asking his permission to use one of the points for the purpose contemplated; that the Colonel, although not yet prepared exactly to define the reserve he would make, was satisfied that one of the places they named would not be needed or included by him, and had, in his reply to their letter, so informed them, and that he had no objection to their taking possession of it; that they had accordingly proceeded to locate and lay out upon this ground the town of Pawnee; that all this had happened in the summer before I had arrived in the Territory, or had any knowledge of the town, or the men who had laid it out; that in November, 1854, in our tour

through the Territory we had stopped at the fort, and were very hospitably treated by the officers, and were then for the first time made acquainted with the fact that such a town existed. The officers and sutler of the post showed us their town site, informed us that it was outside of the reserve, and, as a matter of courtesy to the five Territorial officers, including myself, whom I have mentioned as constituting our party, presented to each of us a share, being one twenty-fifth part, at the same price as the original stockholders had theirs, viz: a proportion of expenses, which we of course accepted; that the officers of the post were probably led into this project by the fact that the same thing had been done by a number of citizens and officers at Fort Leavenworth, who had laid out a town upon ground excluded from the Leavenworth military reserve, and that the Secretary of War, in a correspondence arising out of the transaction, had defended them and approved the act; that Colonel Montgomery had, subsequently to the laying out of the town, made and returned a survey of so much of the one hundred and eighty square miles as he needed for the purposes of a reserve at the post, and, to exhibit the whole transaction, had returned a draught showing the lines of the surveyed reserve, the lines of the town adjoining it, and the correspondence to which I have alluded; that Quartermaster General Jesup had endorsed the return "recommended to be approved according to Colonel Montgomery's draught and specifications," the effect of which would have been to exclude the town; that the Secretary of War, instead of following or adopting the recommendation of General Jesup, had endorsed the return "recommended to be approved according to Colonel Montgomery's draught, as shown by the exterior lines," the effect of which was, by excluding all except the draught and adopting the *exterior* lines, to extend the reserve over the town with all its inhabitants and improvements; and as this recommendation had been approved by himself (the President) probably without being aware of its object or effect, which would be discrediting and disastrous to the free-State party of the Territory, I stated to him that if he did not choose to revoke his approval and adopt the recommendation of General Jesup, the same result might perhaps be effected if the Secretary of the Interior would include the town in the public surveys. He stated that he was not aware of the condition of things when he approved of the reserve, regretted that he did not know it, and requested me to call upon the Secretary of the Interior and state to him the facts, and he would afterwards have a consultation with him. I accordingly called upon Governor McClelland, and, after a conversation with him, was referred by him to General Wilson, Commissioner of the Land Office, to whom I also stated the facts. The conversations in regard to the purchases of half-breed lands and the town of Pawnee took place at different times throughout our interviews, although I have stated them here separately, for the sake of convenience. I stated to him, also, that the Secretary of War, by adopting all the reductions of the provisional reserve ascertained by the survey, with the exception of the town plot alone, had abandoned the provisional reserve and recognised the survey, in contradistinction to the provisional reserve, as a compliance with the original order. I also informed him that the

Secretary of War had commissioned Generals Churchill and Clark to proceed to Fort Riley to investigate and report, and, as it was entirely obvious that the town plot, a part of which extended at least two miles from the fort, afforded neither water nor timber, I had no doubt Generals Clark and Churchill would recommend the exclusion, (as I have since learned they did.) The two subjects to which I have alluded were discussed incidentally during our interviews, but the principal question which occupied our attention was the general political condition of the people of the Territory. He was profuse in his expressions of approval of my course, but expressed himself deeply solicitous as to the probable consequences of my return to the Territory. He declared that, in the excited state of the community, he was fearful of personal violence to myself; and that if violence was committed upon me the whole North would be inflamed, civil war would probably ensue, and no man could predict the result. He repeated this, and enlarged upon it much and often; said that it would be a fearful calamity, the beginning of the end, &c., concluding with the opinion that it would be unsafe for myself, and for the country, that I should return to Kansas in the capacity of governor. I told him promptly and decidedly that I would not resign the office; that two considerations forbade me to think of it; that, as things now stood, the executive office in my hands was the only means of protection for the people against the persecutions and oppressions which had been perpetrated, and would be continued, from the State of Missouri; that it would be base and dishonorable in me to betray and abandon them, and that no considerations of personal danger to myself would induce me to think of it; that, besides this consideration, the whole country had resounded with threats against myself in case I should return, and that a resignation of my office under such circumstances would be attributed to pusillanimity and cowardice. He concurred in this view of the case, and proposed to effect all that was desirable for the public safety and for the public good by removing me from office in a way that would obviate all my objections, and proceeded at length to give his ideas as to what should be done. He proposed that I should make to him in writing a full report of all the proceedings in the Territory, with my views and opinions, referring the whole subject and the remedy to him, and professing to my willingness to abide by any plan he should adopt for redressing the existing wrongs and adjusting the present difficulties; that he would reply in writing to this communication, and would take upon himself the responsibility of removing me from office as a part of the remedy, and at the same time would give the most full, satisfactory, and unequivocal approbation of my course; that whilst he would declare my removal to be necessary in order to allay the existing excitement and bring about a more calm and sober state of public feeling, and avert the danger of violence or outbreak, he would exonerate me from all blame in producing that excitement; that, in order fully to testify the sincerity of his approbation, he would confer upon me some unmistakable mark of his favor, and went on to say that the mission to China would be very shortly vacant by the return of Mr. McLane, to which vacancy he would appoint me at once. To his written answer he

proposed that I should reply by saying, in effect, that I was not prepared to say he had acted unwisely. After considerable discussion and much reflection upon this proposition, I finally answered that if we could both agree upon the terms of the entire correspondence between us, and if I could be satisfied that our people would be as fully cared for and protected as if I remained in office, and a successor would be appointed who would resist the aggressive invasions from Missouri, I would co-operate with him. He assured me that the latter conditions should be complied with, and said there would be no difficulty in agreeing mutually upon the correspondence. He requested me then to prepare my communication, which I did, and submitted it to him. He retained it one day, and then suggested various modifications. After discussing them it was agreed I should re-write it, which I did, and submitted it to him a second time. This did not entirely meet his approbation, and he again suggested alterations and modifications. He then informed me that despatches had been received from Mr. McLane in England which seemed to indicate the necessity of his returning in person to China, and expressed his fears that it would be out of his power to confer upon me that appointment, but that he would find some other in lieu of it, which would be equally or more desirable. I told him that the obtaining of that or any other office was to me a matter of indifference, in the condition of my family and private affairs, and constituted no part of the inducement to me to agree to his proposition; that I preferred rather to go on and ascertain whether we could adjust the matter in its other aspects, and if we could agree upon them the matter of another appointment would be no obstacle to their adjustment. We then discussed his objections to my second draught, and I agreed to re-write my communication for the third time. Having prepared and submitted it to him, I left it with him, and proceeded to Virginia for my wife, who was there upon a visit to two of her brothers. After an absence of two or three days I returned, and he submitted to me, in his own handwriting, a draught of my communication, which very much condensed and generalized what I had written, and which he said he had prepared himself; this draught wanted the concluding portion, in which I was to refer the whole difficulty to him, and profess my willingness to abide by any remedies he should adopt for adjusting it. After examining and discussing this draught, I required that certain alterations and modifications should be made, which I noted, and to which he assented. He also read to me then, or at some previous interview, I can't recollect which, a portion of his reply to my communication, which came fully up to what he had proposed, so far as it went. But my recollection is, that the paper was not entirely finished. I took with me his draught of my communication, wrote out the conclusion, and submitted it to him; he was dissatisfied with it, and said it would not answer. I requested him to specify particularly the portions which were wrong, and the reasons why they were wrong. He declined doing so; he said that the whole spirit and tenor of it was unsatisfactory; that it appeared to cast too much responsibility upon him. I replied that it had been distinctly understood throughout all our negotiations that I would neither

resign my office nor invite a removal; and that I did not see how I could, short of this, say anything less than I had written. He sat down and wrote in pencil a substitute, which he handed me, which I said I would take with me, and from the two might perhaps prepare something which would satisfy us both. I then conversed with him, as I had done several times before, as to the extent of protection he would afford to our people. He assured me he would appoint some honorable, upright northern man, who was above intimidation or corruption, and would faithfully perform his duty, and named one individual upon whom he was willing to confer the appointment. He inquired of me what particular action I proposed that he should take. I told him that one great means of protecting our people would be to have all his appointees in the Territory understand that the administration strictly required of them to set their faces and use their influence against all sorts of foreign interference; that there were some sixteen officers of the general government in the Territory, and that their combined influence would be all-powerful for good or evil. I also suggested the idea of a proclamation, to be issued by himself, reciting what had been done, sternly disapproving it, and pledging his administration against foreign interference as a violation of the principles of the Kansas-Nebraska bill; and the use of the government troops, if necessary, to prevent a repetition of past outrages; and spoke of the moral influence upon Congress and upon the nation of a fixed and unyielding opposition to them of the administration. The manner in which he met these suggestions, the objections which he stated to issuing a proclamation, the doubts he expressed of his legal authority to support such a proclamation if issued, and his evasion of the true point at issue by talking of the Emigrant Aid Society, made me very distrustful of any sincere intention on his part to give adequate protection to our people, and I left him, saying that I would come in again in the morning. My reflections that night brought me to the conclusion that, if I was removed, our people would be left entirely at the mercy of their invaders, and that, unless I could have some distinct and positive security for their protection, I would proceed no further with the present negotiation. I saw him again the next morning, and so informed him. Our conversation then, though entirely courteous, did not have that same amicable spirit which had characterized all our preceding interviews except that of the night before. I said to him that it was evident to me that he was about to make concessions in the wrong direction; that he was perfectly aware that, in all previous angry collisions between northern and southern sentiment, I had favored the compromises which had satisfied the South, and had secured their rights against the clamor of the anti-slavery men; that I considered this a clear case of aggression on northern rights; in whatever there was to be of concession or compensation should be made to the North, and not to the South. The interests of the North, the interests of the Democratic party, and the principles of truth and justice, loudly required it; and that, if he would boldly and promptly take that course at this time, before the mass of the southern people had taken any position upon this question, he would be largely sustained even at the south; and

that the longer the evil was allowed to progress, the more perplexed and complicated would the case become, and the more difficult of remedy. I failed to convince him of my views, which he rather evaded than answered; and finally told him that, as we could not agree, there was nothing left but for him to take the responsibility of his acts, and I of mine. He spoke of the dangers of my returning in office; to which I replied that they had no terrors for me, so long as I felt I was in the performance of my duty. He said: "Well, I shall not remove you on account of your official action; if I remove you at all, it will be on account of your speculation in lands of the Territory." I told him they were not speculations, but simply lawful purchases. After I had risen to leave the room, I remarked to him that the additional papers relating to the purchase of half-breed lands were now before him; that he had the whole case, and myself and colleagues were very anxious to have his confirmation or rejection of them before the 1st of June, as several of the contracts expired on that day by their own limitation. He remarked that he had not had time to examine the papers. I then alluded to the town of Pawnee and the military reservation, which was an important matter in its bearings upon the political parties of the Territory, and in regard to which he had promised me to speak to the Secretary of War and the Secretary of the Interior. He replied that he would have no time to think of the matter or attend to it, but that, if the vacation of my office could be satisfactorily adjusted, he thought all these matters could be arranged in such a shape as to promote my private interests. I felt insulted by the proposition to such an extent that I dared not trust myself to reply. I was conscious of a state of temper so angry and excited as to leave only the alternative of silent contempt, or an angry and indecorous reply. I chose the former, and, as I was standing near the door with my hat in my hand, I bade him good morning and left him. Some seven to fourteen days after this I received, at Easton, Pa., a note from him requesting me to send to Washington the honorable Asa Packer, member of Congress from that district. This request I communicated to Judge Packer, who proceeded to Washington in a few days. I made my arrangements to proceed to the Territory without my family. I had previously made all the necessary arrangements to take my family with me, but abandoned the idea after I had come to the States in consequence of information received, which disappointed me as to the quarters I expected and had provided for them in the Territory. About 10 o'clock at night on the evening preceding the day I was to leave Easton for Kansas, I received a letter from the State Department asking explanations in regard to the purchase of half-breed lands, and other speculations in lands of the Territory. This letter was enclosed in an ordinary envelope, not franked by any person, and without the endorsement invariably used upon all envelopes of letters coming from the department on official business, so that, had I proceeded to Washington in consequence of receiving it, and there closed the negotiation which had previously failed, there would have been no trace before the public of any evidence that I had received an official communication to call me there. Instead of going to Washington, however, I de-

terminated to go to Kansas. A duplicate of that letter, as I afterwards learned, was forwarded to the city of New York, to meet me there in case I should fail to receive the one directed to Easton. The sequel of the correspondence is before the public. On the 26th of June I mailed a letter containing the explanations called for, which, by due course of mail, must have reached Washington on the 9th of July; and the letter notifying me of my removal, on the day of its date, was mailed on the 30th July, (Monday,) although dated on the 28th. This removal, which had been thus suspended for twenty-one days, was immediately preceded by the intelligence of my veto message, which repudiated the legislature, dissolved all connexion with it, and treated as void all its laws passed at the Shawnee Mission. This message had created much excitement in the legislature, and a petition for my removal was thereupon prepared and signed by the members, and one of their body despatched to present and press it in person. This messenger was met on the way in the States by the intelligence which made his further progress unnecessary, and thus the President was saved the embarrassment, or deprived of the opportunity, of considering the main question at issue between the legislature and myself. The papers showing the contract for the half-breed lands had been before the President in January, 1855, and had been of course examined by him, as they were returned to me by him with a note from his private secretary, stating that he declined to confirm them, without concurring in all the reasons mentioned in Mr. Manypenny's report. There was no final rejection of the contracts, and I at once proceeded to supply the alleged defects of proof. Nor was there any allegation or intimation in any correspondence or otherwise that the contracts were illegal or dishonest, or that they were finally rejected. Having supplied the alleged defects, the whole case was again laid before him in May, and about the middle of June I was called on to explain it. The papers then before the President, and which had been before him in January, contained my own statement and argument, with the depositions and certificates of other persons, giving a history and elucidation of the whole transaction far more thorough than any explanations I could make in the absence of the papers. I have never been informed to this day, and do not know in what aspect and for what reasons these contracts were considered a cause of removal. Whether they were treated as unfair and dishonorable, or simply illegal, or whether the position was taken that a public officer has not the same right to purchase as a private individual, I have never been informed. The "other speculations in lands of the Territory," of which explanation was demanded after I was removed, was shown to mean the participation in locating the town of Pawnee on the military reservation. Before the removal I could obtain no explanation of what it meant, although I urgently solicited it. There was nothing to be desired of explanation in regard to this matter, which I had not given to the President in May in the most full and ample manner, and I had especially and particularly explained to him that I was not in the country, and had never heard of the town until after it had been located and surveyed in 1854; and that the reservation had been extended over the town in May, 1855.

The third draught of my communication to the President, which I made as above stated, as well as the redraught thereof in his handwriting, and the draught by him in pencil of the intended conclusion, were all preserved by me, and taken with me to Kansas Territory in April, 1856. They were left in my trunk in the hotel in Lawrence when I left there in May, and I can now give no information of them, except that I have been informed by persons who were present, that on the 21st day of May, 1856, when the said hotel was destroyed by incendiaries, the possee of the sheriff of Douglas county broke open and rifled my trunk, and stole all my clothes and papers. Since then I have not seen these papers, or heard of them. The President requested me to recite in that communication his approval of my conduct, and in his draught recited it himself in his own handwriting.

My attention has been called to the testimony of Marcus J. Parot, and I find in it many errors, though I do not consider them material. He is entirely mistaken in saying that he saw at Kansas City any resolutions, in my possession or written by me, in favor of holding an election on a day different from that provided by the Territorial law. I never wrote any such resolutions; and when I met Mr. Parot, at Kansas City, was in favor of participating in the election on the 1st of October. I did not change my mind until I had got to the Big Springs convention, and was persuaded, by an examination of the Territorial election law, that our voters would be excluded, and found that there was a general concurrence of opinion in favor of a separate election. Nor did he see any resolutions, in my possession or written by me, "looking to the repudiation of the laws by force," as he states it, unless he means resolutions which declared the laws to have been framed by representatives of a foreign power, and not binding on us; that we would first resort to all peaceful remedies in the courts, the ballot-box, and Congress, and when they were all exhausted, and we were compelled to choose between a permanent enslavement of ourselves and resistance, that we would then resist. This is probably what he called, in loose language, "looking to a repudiation by force."

In the testimony of W. Barbe, I notice that he states his knowledge of the sentiments of the voters, as ascertained by him from them when he took the census in the 5th and 6th electoral districts. The 5th district was not taken by him, as he informed me. It was a part of my arrangement to furnish the judges of election of each district a list of all the voters of the district, copied from the census; and when a district was divided for convenience into several precincts, to ascertain from the person who took the census of the district, which of the voters lived in each precinct, so as to furnish to the judges of each a list of the voters in their particular precinct. The 5th district was divided into four precincts. I called on Mr. Barbe for the information necessary thus to divide them. He evaded me for some time, and finally acknowledged that he could not tell me, as he had not taken the census. I insisted on knowing who had taken it, and he said he had employed Joseph C. Anderson and Lykins, both of whom were elected to the Territorial legislature, and that he had copied their lists into his census-book at the hotel in Westport.

All the knowledge I have of any secret society or societies in Kansas Territory, is the following :

In the month of September, 1855, I was invited to become a member; assented, and proceeded to the place of meeting; found about 25 to 30 men assembled; was assured by the presiding officer, that the objects were such as would not conflict with any of the obligations of an honorable man and a good citizen, and an assurance that if I so found them, I would not reveal the existence of the society, in case I desired to take the oath when I should hear it. I gave this promise, and the presiding officer then administered the oath. I found it unexceptionable, and assented to it. I have never attended a meeting since that evening, and have never seen a written or printed constitution; have forgotten the pass-words, except the question and answer, "Are you in favor of making Kansas a free State? Yes, if Missouri is willing." The principal points of the oath of initiation were—to labor by all honorable means to make Kansas a free State; mutually to protect and defend each other against violence; always to keep a firelock and ammunition in the house; to wear a weapon of defence, in the shape of a knife or revolver; to rush to the rescue of a brother who should be assailed by violence, whenever there was a greater probability of saving his life than of losing my own. I have read the oath, as stated by A. J. Francis, and I am confident that there are many things recited by him of which I never heard as a part of the oath, viz: the pledge to deal with and employ free-State men in preference to pro-slavery men or Missourians; to obey unto death the order of superior officers; to be in readiness to take up arms in defence of free-State principles, even though it should submit the government to wear at all towns the insignia of the order; and to consider binding any part of the obligation which may have been omitted in the formula. Of all these I have not the slightest recollection, and do not at all believe they constitute a part of the oath. I am very confident I took no such pledges; and had they been proffered, I should have refused at once; and I could not have taken such an obligation, or had it offered to me, without recollecting it. As to the laws of the so-called Kansas legislature, that any pledge was made in regard to them, it is possible that there may have been a pledge to oppose, disavow, or repudiate them as not binding, and not to avail myself of them, and such a promise I may have made and forgotten. I am confident, however, there was no pledge to resist them in gross by force. Such a pledge I would not have taken, and could not have forgotten; because, although there were some I would never have submitted to when enforced after all peaceful remedies had been exhausted, there were others of so indifferent a character, and not peculiarly obnoxious in themselves, which I would have considered it unnecessary to resist, even though they had no binding force. I do not know the name of this society; I did know it at one time, but have forgotten it.

I am confident there was no pledge to wear the insignia of the order, which was a black ribbon in the button-hole; because the presiding officer, immediately after my initiation, informed me, in the meeting, that I would be excused from wearing it, if I desired. The

object of the society was combined effort to make Kansas a free State, but no illegal means were alluded to in the formula, so far as I can recollect, or contemplated or practised outside of the formula, to my knowledge. Another object was mutual protection against violence. In the spring and summer previous, I learned that political opponents were in the habit of coming into the town in parties, and seeking pretexts for individual quarrels, in the course of which some of the citizens of the town were beaten; and this society (which, I understand, was purely a local one, and confined to Lawrence) was then got up for defence against these assaults. I have been told by members that it has gone into disuse, and that no meeting has been held for some time.

I have said that it was local, and confined to Lawrence. I have learned that some of the citizens of Leavenworth, finding that it operated beneficially to repress violence in Lawrence, adopted it, or undertook to adopt it there. I do not know how far they proceeded. I know of no other secret society.

I have examined the testimony of Robert Wilson, who testified that a large number of men came to Pawnee immediately before the 30th of March, of whom 60 or 70 were from Pennsylvania, and a good many from Easton, Pennsylvania. I have examined the poll-list of that election, and I find upon it the names of four men from Easton and the vicinity. There are no others that I know of, or can recognise. (I was born and have always resided, until ten years ago, in Easton, Pennsylvania, and am well acquainted there and in the surrounding country.) They are Charles Weithneacht, Jacob Shelly, John McCracken, and John Westover. Of these one has returned, as he told me, for his family, having taken a claim and built a small cabin on it. One was in Westport when I last heard of him. One, not liking the county, had gone to Minnesota; and one, after working at various places in the Territory until fall, then returned to Easton. I find only twelve other men whom I know to be from Pennsylvania, of whom two are dead. Several were still there in September, 1855; and some I know returned home in the summer. All of these except two were, as I believe, from Pike county, the village of Monroe, Pennsylvania, and went there, as they informed me, for the purpose of settling and remaining. The greater part of the inhabitants of Pawnee and vicinity were discouraged by the extension of the military reserve over Pawnee, and the subsequent driving out of the inhabitants under the order of the War Department, and left. They were notified by an order of the commanding officer, and, as I have learned from various persons, their houses were torn down and destroyed, except three. The house of Robert Wilson (the witness) was spared: a house I had erected for myself was torn down or blown up, I do not know which. Of the twelve men I refer to, I feel tolerably confident that I saw five or six there as late as September. The Reserve was extended over the town as early as May, and the order to leave, I think, was in September or October.

I brought or sent no man to Kansas Territory to vote. Of those I find on the list, I find two who were very anxious to go out, and

wished me to assist them. I loaned them the money, taking their notes for the amount. One of them is the man I have mentioned as having returned to Easton; and the other has not returned, to my knowledge, and I believe is still in the Territory, or in Missouri. I assisted none of the others to go. There is one other young man yet in the Territory, who was desirous to go out from Pennsylvania, and I advanced him money to assist him, taking his note. He has remained, and is still there, as I have recently heard; but he has never been to Pawnee. I have assisted other men who were pressed in the Territory, but this is the extent of my taking men there.

I was not an original stockholder in Pawnee, as is well known by all persons connected with the project. I first came in at the same time with Judges Elmore and Johnson, United States marshal Donaldson, and district attorney Isaacs, in the manner I have stated, about the 2d of November, 1854, after the association was formed, constitution adopted, town located and surveyed, or partly surveyed. I afterwards purchased two other shares from Mr. Wilson, making twenty sub-shares, as nearly as I can recollect; some of them were for other persons, to whom they have been transferred. I disposed of one of them to Mr. Marshall, as stated by Mr. Wilson, but did not sell it to him at all; on the contrary, I exchanged it for other town stock, and before Mr. Marshall had been elected to the legislature, or before I knew he was a candidate; all of which facts Mr. Marshall, a gentleman of the same politics as Mr. Wilson, will, I have no doubt, state if called on. As to the residue of Mr. Wilson's evidence, I cannot consent to meet it with any statements of my own. It was taken when I was not present, and was not represented, and when there was no opportunity to object, or cross-examine him, and, as I suppose, was only received in a time of great haste, through mere inadvertence, as I had offered evidence opening up the subject of my official conduct in fixing the seat of government at Pawnee, which was objected to as irrelevant, and ruled out by the committee.

A cross-examination would have fully explained Mr. Wilson's testimony, as it will be seen he testifies to disconnected scraps of conversation, declarations of other persons, contents of papers not produced, &c. I was the first to offer evidence on this subject; and having been overruled, I cannot consent now to meet this evidence by my own statements alone, at a time when other evidence is beyond my reach, and cannot be waited for.

A. H. REEDER.

SQUATTER MEETINGS.—BURNING OF OAKLEY'S HOUSE, BY S. J. JONES.—
ROBBING OF REV. PARDON BUTLER.—ROBBING OF PHILLIPS, AND HOMI-
CIDE OF CLARK.—HOMICIDE OF COLLINS.—SEIZURE OF BALLOT-BOX AT
LEAVENWORTH, DECEMBER 15, 1855.—MURDER OF R. P. BROWN.—
SUNDRY ARRESTS.—ZIMMERMAN AT ATCHISON.—REEDER'S LETTERS.

JOHN A. WAKEFIELD called and sworn.

I came into the Territory in July, 1854, from Iowa, and settled about six miles west of this on the California road in the second district and have resided there ever since. We undertook to have squatter meetings to pass by-laws for the government of citizens in holding their claims. At those meetings we were met by the people of Missouri. A meeting held late in July or first of August, 1854, was organized by electing myself president, and S. N. Wood secretary of the meeting, and it was held on Judge Miller's claim, on what was then called "Backbone Ridge." The first meeting proved a failure on account of those men wishing to vote. We adjourned the meeting for a few days, I think for two days. We came; the Missourians were there, and claimed to take a part and did take a part in the meeting. The actual settlers were dissatisfied with this and adjourned from Thursday to meet on the Saturday following. After the Missourians left the ground the citizens re-assembled on the same day, and then passed a code of by-laws for the government of claims and elected officers, what was termed a chief justice, a marshal, and a register of claims. Some few weeks after a notice was given of a new meeting, at the same place, to adopt amendments to their by-laws. When we assembled in the morning, on the ground, we found between one and two hundred men there from Missouri. Myself being the presiding officer, I called the meeting to order. The Missourians presented themselves to vote. I then rose, made a short speech and told them that none but actual settlers of the Territory would be allowed to vote at that meeting. The meeting then was addressed in a very lengthy and inflammatory speech by a man from the State of Missouri, of the name of Dunham, claiming that the Missourians had a right to vote at that meeting. He was followed in a short speech by a Mr. Lyon, a citizen of the Territory. A Dr. Lykins, of Kansas city, then spoke, claiming the right to vote there. I then took the privilege of responding to Dr. Lykins myself, in a speech, denying the right of Missourians to vote. This produced very great excitement. A man by the name of McGee, from near Westport, Missouri, made gestures with his fist towards me, and cried out "Beware what you are doing." At this time there was a great deal of shoving and pushing, and such excitement as appeared likely to lead to blows. A gentleman there, whose name I cannot call to mind, but he claimed to be from Louisiana, sent me a note, that he wished to address the meeting. I then gave orders for them to open the way and let the gentleman come forward, which, after some difficulty was done. He went on to make a

speech to quell the excitement, and recommended a committee of conference of the settlers and the Missourians to try to make a compromise. A resolution was then adopted raising that committee of conference, which committee took the by-laws we had adopted at the first meeting and went out. They came back and reported the by-laws to the meeting with some amendments to them, and all voted, of both parties, for its adoption, except some of the actual settlers. A minority report was then made by the actual settlers and was concurred in, all voting for it. That was the end of the meetings concerning the rules and regulations for the government of claims.

JOHN A. WAKEFIELD.

LAWRENCE, K. T., May 10, 1856.

Constitution of the Delaware Squatter Association, embracing all the laws passed by the different Squatter meetings from June 10, to December 2, 1854.

Constitution of the Delaware Squatter Association, upon the Delaware lands ceded to the United States, by the Delaware Indians, in the Territory of Kansas:

ARTICLE I. This association shall be known by the name of the "Kansas Delaware Squatter Association," and by such name shall be able to hold a court for the trial of all difficulties, growing out of the settlement of the public lands within said district, in regard to its occupancy.

ARTICLE II. The officers of the association shall be a president and two associate judges, a secretary, treasurer and marshal, who shall be elected annually from among the actual settlers upon said lands.

ARTICLE III. The president, by virtue of his office, shall be chief justice of the squatters' court; he shall preside at all meetings of the association, and be judge of the first judicial district.

ARTICLE IV. The associate justices shall be judges of and reside within the district, which shall be assigned them by the association.

ARTICLE V. The president and associate judges shall each respectively be competent to try and determine all causes to them submitted for trial.

ARTICLE VI. The said president and associate justices shall have power to appoint their own clerks and sheriffs, and remove them at pleasure.

ARTICLE VII. The said clerks and sheriffs so appointed, shall perform all and singular the duties, and be entitled to receive the same compensation as the clerks and sheriffs would be for like services in the district courts of the United States for Territories.

ARTICLE VIII. The president shall preside at all meetings of the association.

ARTICLE IX. The secretary shall keep a correct record of all the proceedings of the association in a book kept for that purpose, which shall be open for inspection at all times; and in a book kept for the purpose, keep a record of all claims which shall be made in accordance

with the provisions of the association and for which he shall receive fifty cents.

ARTICLE X. The treasurer shall safely keep all moneys belonging to the association, and pay them out as directed by the general court.

ARTICLE XI. The marshal shall be the executive officer of the association, and the general court, and give personal attendance at their sittings, and at the general court shall perform all the duties required of him in order to carry out the provisions of the association, in bringing its decision to a speedy termination.

ARTICLE XII. In bringing suit it shall be necessary for the complainant to make his complaint to the judge in whose district he may reside, in a plain and intelligible manner, setting forth his complaint under oath, and if the judge shall think his complaint just and deserves a hearing, he shall demand of the complainant an amount of money sufficient to indemnify the officers for all costs which may accrue in the event of a failure of making good his charge, and direct the clerk to issue his warrant to the sheriff commanding the defendant to appear before him at a time to be fixed, therein to show cause why he should not be dispossessed and deliver possession to the complainant, and also issue his subpoena for all such witnesses as either party may require. Which warrant and subpoenas shall be served and returned as process, directed to the sheriff from the district court of the United States.

ARTICLE XIII. On the trial of such cause, the same laws and evidence shall be applicable as in the district court of the United States.

ARTICLE XIV. There shall be a general court at Leavenworth on the first Monday of each month, composed of all the judges, or a majority of them, for the trial of such causes as may be taken by appeal or writ of error from the district courts of the several districts to the general courts, at which time and place all causes shall be heard and determined in their order, and finally adjudicated upon.

ARTICLE XV. In any cause which has been decided in any of the district courts, if either party shall think himself aggrieved by the decision of the judge, he may make his appeal or have a writ of error to the general court under the same rules and regulations as in the district courts of the United States, by first depositing with the clerk sufficient money for the payment of all costs which has or may accrue in the cause.

ARTICLE XVI. Should the court or judge grant an appeal or writ of error, the clerk shall make a correct transcript of the judgment and all the proceedings had in his court, and cause the same to be filed with the clerk of the general court, on or before the first day of the term thereof, and if an appeal, also the papers in the cause which may be heard *de novo*, but in either case the cause shall be heard at the first term.

ARTICLE XVII. Upon the final determination of any cause before the district court, or the general court as the case be, the court shall direct the clerk to issue a notice to the sheriff or marshal as the case may be, commanding the losing party to forthwith leave and surrender to the successful party the immediate possession, and should the losing party refuse to comply with the order of the court, when thus notified, he shall be declared out of the protection of the association, and the

sheriff may command a posse to assist if necessary, to put into execution his orders.

ARTICLE XVIII. On the trial of any cause, if either party should demand a jury, the court shall cause the clerk to issue a venire to the sheriff commanding him forthwith to summons six disinterested squatters to appear before him as jurors to try the cause, (naming it,) which shall be served and returned as other process, and should either party object to any of the jurors, the pannel may be filled by the bystanders; in making up the jury the same rules shall be observed as in the district courts of the United States, but there shall in no case be more than two challenges without cause shown.

ARTICLE XIX. In any cause submitted to the court or jury for trial, the defendant before he shall be permitted to put in any defence, shall deposit with the clerk an amount of money sufficient to indemnify the court for all costs which has or may accrue in the cause, and on a final determination of the cause, the costs shall be taxed up against the losing party, and the money deposited by the successful party refunded to him.

ARTICLE XX. All the officers of either of the courts herein specified, before entering upon the duties of their respective offices, shall take an oath faithfully and impartial to discharge the duties of their respective offices.

ARTICLE XXI. The clerk and treasurer shall, before entering upon the duties of their office, give bond to the president of the association by his individual name, for the faithful application of all moneys intrusted to them, and should they or either of them fail so to do, suit may be forthwith brought on said bond, in the name of the president, (by his individual name,) for the use of the injured party, before any court in the Territory, and collected as other debts are collected, and said delinquent declared out of the protection of this association, and all his claims as such disregarded.

ARTICLE XXII. In case of the absence of the president at any of the meetings of the association, one of the associate justices shall preside and perform all the duties required of the president.

ARTICLE XXIII. In deciding causes submitted to the courts, all the rules and regulations of the squatters' association in regard to claims shall be strictly observed, and be the supreme law.

ARTICLE XXIV. Any squatter upon the Delaware lands ceded to the United States may become a member of this association by signing his name to its books.

ARTICLE XXV. The president and associate justices shall each be entitled to receive two dollars per day, for every day they or either of them may be engaged in trying causes, to be taxed and collected as other costs.

ARTICLE XXVI. The boundary lines of the association shall be as defined at the squatters' meeting, held on the 4th day of November, A. D. 1854.

Salt Creek resolutions, adopted June 10, 1854.

WHEREAS, We, the citizens of Kansas Territory, and many other citizens of the adjoining State of Missouri, contemplating a squatter's

home on the fair plains of said Territory, are assembled at Salt Creek Valley for the purpose of taking such steps as will secure safety and fairness in the location and preservation of claims:

Therefore, be it resolved,

1st. That we are in favor of bona fide squatter sovereignty and acknowledge the right of any citizen of the United States to make a claim in Kansas Territory, ultimately with the view of occupying it.

2nd. That such claim, when made, shall be held inviolate, so long as a bona fide intention of occupying it is apparent, and for the purpose of protecting and defending such claim, we agree to act in concert, if necessary, to expel intruders.

3d. That every persons of lawful age who may be the head of a family, who shall mark out his claim of 160 acres, so that it may be apparent how the same lies, and proceed with reasonable diligence to erect thereon a cabin or tent, shall be deemed to have made a proper claim.

4th. That any person marking out his claim shall be deemed to have forfeited it unless he commences his cabin or pitches a tent within two weeks thereafter, unless the same shall be on lands such as prohibit it by military or Indian reservations.

5th. That all persons now holding claims shall have two weeks from this day, in which to make the improvements contemplated by the foregoing resolutions.

6th. No person shall be protected by the squatter association who holds in his own right more than one claim.

7th. That a citizen of the Territory be appointed as register of claims, who shall keep a book in which he shall register the name and description of all squatters, and their claims and the date of making the same, for which registration he shall be allowed the sum of fifty cents for each claim, to be paid by the claimant.

8th. That we recognise the institution of slavery as already existing in this Territory, and recommend to slave-holders to introduce their property as early as possible.

9th. That we will afford protection to no abolitionist as settlers of Kansas Territory.

Stockbridge resolutions, adopted July 8, 1854.

3d. *Resolved*, That we adopt the resolutions and proceedings of the Salt Creek Squatter Association, held on 10th June 1854, so far as they do not conflict with the following.

4th. That the making of improvements, by erecting a cabin, tent or fence is essential to the validity of any claim laid on the Delaware lands.

5th. That all claims must be registered with intelligible metes and bounds.

6th. That all persons holding claims shall be allowed two weeks from this day in which to make the required improvements.

7th. That D. Dodge, Fort Leavenworth, be appointed register for the Delaware lands—that all claims must be registered within two weeks from the time of making them—that the sum of fifty cents

shall be the registration fee, and that in case of a transfer the fee shall be fifty cents.

8th. That a *bona fide* purchaser shall be entitled to all the rights and privileges of an original claimant.

The following resolution was adopted at a meeting held at Leavenworth, on Friday, September 29, 1854:

Resolved, That we concur in and approve of, and will defend and support the laws and regulations as passed at Salt Creek on the 10th of June, and at Stockbridge on the 8th of July, 1854, until altered or annulled by the settlers of this Territory.

Leavenworth resolutions, adopted November 4, 1854.

WHEREAS, The welfare of Kansas Territory requires the immediate settlement of the lands ceded to the United States by the Delaware Indians, and that the claimants of said lands should become actual residents of said Territory and occupants in good faith of the respective claims made by them, and whereas the best portions of said lands are claimed by non-residents, thereby depriving others of the privilege of making actual settlements, and retarding the progress of the Territory, debarring the citizens thereof of the aid and society that they would otherwise enjoy, preventing production and improvement, imposing upon the pioneer settlers all the hardship of frontier life, in preparing the country for occupation, while such non-residents are enjoying the advantages and comforts of civilized life in the States and their claims enhancing in value from the privations and labors of the actual residents, therefore.

1st. *Resolved*, That we recognize as a valid claim upon the Delaware lands, only such as is occupied as the actual and only residence of the claimant or of some person or persons residing on the same as his tenant or by his procurement.

2nd. That after the expiration of twenty-five days from this date, all lands within the Delaware purchase and within the boundaries hereinafter described, except those held as above mentioned, shall be subject to claim by any person who may be entitled to hold a pre-emption under the United States laws.

3rd. That no claim shall contain more than 160 acres of land, and that the same shall be selected in bodies according to the United States laws regulating pre-emptions.

4th. That for accomplishing these ends, an association be organized to be known as the Delaware Squatter Association, and that the jurisdiction of the same shall be co-extensive with the Territory ceded to the United States by the Delaware Indians.

Leavenworth resolutions, adopted November 15, 1854.

Resolved, That all squatter laws, passed by the settlers upon the Delaware lands, prior to this date, are adopted by this association.

The following report and resolutions were adopted at a squatter meeting held at Leavenworth, on the 2nd day of December, 1854.

Your committee appointed to examine into the propriety of amending the first and second resolutions, passed at a meeting of the squatter association on the 4th day of November, 1854, have had the same under consideration, and would ask leave to make the following report; and would recommend the following amendment: Strike out the preamble, the first and second resolutions, and insert the following:

1st. *Resolved*, That we recognize as a valid claim all such claims as were recognized as valid under the squatter laws of the Delaware squatters prior to the 29th day of November, 1854.

2nd. *Resolved*, That after the expiration of three months from this date, all lands within the Delaware purchase not occupied as a home, shall be subject to be claimed by any person who may become an actual settler.

3rd. *Resolved*, That all rights which have accrued under the resolutions of the 4th of November, 1854, shall remain as valid as though these resolutions had never passed.

OFFICERS OF THE COURT.

R. R. REESE, chief justice.

A. PAYNE, associate justice, Stranger district.

A. RUSSELL, " " Salt Creek district.

• MILES SHANNON, marshal.

GREEN D. TODD, deputy marshal.

S. D. PITCHER, chief clerk of court and recorder of claims.

Colonel A. M. MITCHELL being called and sworn.

I reside in St. Joseph's, Missouri, and have so resided for several years. I was present at a public meeting held on the 24th of June, 1854, at Whitehead, in the Territory of Kansas, and the following is a true report of the proceedings of that meeting:

KANSAS MEETING.

At a large and enthusiastic meeting of the settlers of Kansas Territory, held on the 24th June, 1854, at Whitehead, in accordance with notice previously given, the following proceedings were had:

Colonel A. M. Mitchell was called to the chair, and James R. Whitehead appointed secretary.

On motion of Colonel W. Broadus Thompson, the chairman explained the object of the meeting, and appointed a committee to present resolutions for their consideration. The committee consisted of Colonel W. Broadus Thompson, Captain John H. Whitehead, Benjamin Wharton, James B. O'Tool, and John R. Carter.

During the absence of the committee the chairman made an able address, showing the necessity of an immediate organization for mu-

tual protection against intruders, and for the promotion of the interests of the Territory.

The committee, through their chairman, W. Broadus Thompson, reported the following resolutions:

Whereas, we, citizens of Kansas Territory, intending to fix our homes upon its fertile soil, have this day met at Whitehead, for the purpose of taking measures to secure safety, certainty, and fairness in the location and preservation of claims, be it resolved,

1. That we are in favor of *bona fide* squatter sovereignty, and acknowledge the right of any citizen of the United States to make a claim in Kansas Territory, with the ultimate view of occupying it.

2. That such claim, when made, should be held inviolate, so long as a *bona fide* intention of occupying it is apparent; and, for the purpose of protecting and defending such claims, we agree to act in concert, if necessary, to expel intruders.

3. That any person of lawful age, or who may be the head of a family, who shall mark out his claim of one hundred and sixty acres, so that it may be apparent how the same lies, shall be deemed to have made a proper claim.

4. That any person marking out his claim shall be deemed to have forfeited it unless he commences his cabin or pitches his tent within thirty days thereafter, unless the same shall be on such lands as prohibit it by military or Indian reservation.

5. That all persons now holding claims shall have thirty days from this day in which to make the improvements contemplated by the foregoing resolutions.

6. That no person shall be protected by the squatter association who holds in his right more than one claim.

7. That any person building his cabin or tent within less than half a mile of another shall be deemed an intruder.

8. That a citizen of the Territory be appointed as register of claims, who shall keep a book in which he shall note the names and description of all squatters and their claims, and the date of the same, for which he shall be allowed the sum of fifty cents for each claim, to be paid by the claimant.

9. That the *bona fide* purchaser of a claim located and registered be recognized as entitled to the same, under the laws of this association, provided his intention be to occupy the same as a citizen of this Territory.

10. That we will afford protection to no abolitionist as a citizen of this Territory.

11. That we recognize the institution of slavery as already existing in this Territory, and recommend to slaveholders to introduce their property as early as practicable.

12. That a vigilance committee be appointed by the chair, consisting of thirteen members of this association, whose duty it shall be to decide upon all disputes in relation to claims, and to insure an execution of their judgments in regard to rightful claimants, shall have power to call together the entire squatter association.

13. That all persons who wish to become members of the "Squatter Association" shall subscribe to the foregoing preamble and resolutions.

The foregoing preamble and resolutions, presented and supported by Colonel W. Broadus Thompson, in a forcible and eloquent speech, were unanimously adopted.

By unanimous consent, the chair appointed James R. Whitehead register of claims.

As vigilance committee, John H. Whitehead, Samuel P. Blair, Thomas W. Waterson, Carey B. Whitehead, James B. O'Tool, Henderson Smallwood, Anderson Cox, John W. Smith, sen., Samuel Montgomery, Benjamin Harding, John Keaton, Joseph Siceliff, and John W. Smith, jr.

On motion, it was

Resolved, That the chairman appoint five delegates to the general territorial convention to be held at Salt Creek on the 4th day of July proximo.

Whereupon, Captain John H. Whitehead, Benjamin Wharton, Albert Head, Samuel P. Blair, and John R. Carter, were appointed said delegation.

It was further resolved that the papers of St. Louis, Independence, Weston, St. Joseph's, and Savannah, be requested to publish these proceedings, for reference and guidance of all interested.

The meeting then adjourned, to meet again at this place on this day four weeks.

A. M. MITCHELL, *President*.

JAMES R. WHITEHEAD, *Secretary*.

A. M. MITCHELL.

SAMUEL SMITH called and sworn.

I came into the Territory on the 1st of April, 1855, from Illinois, and settled near Lecompton. Mr. Joseph Oakley and myself bought a claim there of Mr. L. D. Hendricks. Immediately after we took possession, Mr. Oakley left for Michigan for his family. I remained there. I went to Kansas City to take down Mr. Oakley, leaving my boys to build a cabin on my portion of the claim, Mr. Oakley and myself having divided it. A committee waited upon me after my return and informed me I was trespassing upon a claim owned by S. J. Jones, afterwards sheriff, and a Dr. Davis. A gentleman calling himself Dr. Davis was present, and told me this. They ordered me to appear before a commission established at Benecia, but I did not do so. It was the 8th of April that we took possession of the claim. On the 2d of May, Mr. Jones came with a party. I was sick and in bed in Mr. Oakley's cabin, as mine had not much accommodation in it. Mr. Oakley's cabin was on the claim when we bought it. Mr. Jones told me he had burned my cabin, and told me I must leave the claim, that it was his. There was some conversation about the penalties of this association, among which were hanging, tarring and feathering, &c. I was somewhat threatened with these penalties in the name of the association. I have never been able to ascertain that either Jones or Davis had ever been in possession of this claim.

I did not leave, but continued to work on the claim. I found my cabin burned down. On the 28th of May I was invited to assist a man by the name of Hancock, who lived near by, in building a house, and went over there for that purpose. We were cutting logs a short distance from where the house was to be erected; and shortly after we commenced work, an alarm was given that a crowd of armed men were coming towards us. There were some half a dozen of us at work, and we all left immediately and went to the house that Mr. Hancock was then living in. When we got there, I saw a crowd of twenty-five or thirty men coming towards the house; and when they got there we were ordered by Mr. Jones, the leader, to disperse. We stood our ground, and they marched up in front of the house. Jones ordered the crowd to make ready and take aim, and in that position they came up. They were all armed with shot guns, rifles, and revolvers. Among them I recognized Mr. Jones, Mr. Evans Todhunter, Mr. Roderick, now postmaster in Lecompton, Mr. Taylor, a lawyer, Mr. Ellison, called "Squire Ellison," and a Mr. Gentry. When the crowd had got near enough to fire, after they had taken aim, Mr. Ellison called out not to shoot. We showed no resistance, but stood perfectly quiet. Mr. Ellison spoke to me, and said we ought to be careful, for some of the boys would shoot. After some conversation, Mr. Jones ordered Mr. Hancock to leave the premises, which, at first, he refused to do; but after some threats, he took out his goods from the house and went off. I understood at that time that Jones was postmaster at Westport, Missouri. Mr. Hancock's family were turned out of doors, and, for some weeks afterwards, I saw his goods out on the open prairie, until he could build a house for himself. At that time I had some conversation with Jones, after Mr. Ellison had told me he had been to my cabin, and had advised me to leave it, possibly for fear Jones and his party would turn me out by force. Mr. Jones, in conversation, acknowledged that he had threatened to shoot me if he found me in Oakley's cabin again. I returned to the cabin after that, and sent two of my boys out to arouse the neighbors. The rest of us went to work to fortify the cabin, so that we might defend it, by loading our guns and knocking out some chinks between the logs to put our guns through. I found written on the cabin door, "You are hereby ordered to leave these premises by 4 o'clock this evening." This was written with red chalk, but had no signature. About 4 o'clock, Jones came to the cabin, leading a crowd. I went out and had a conversation with him. He was anxious for me to leave without further trouble, and insisted that I must leave at all hazards. After consulting my friends, I concluded to leave the cabin; and we all did so, and went off from it for a short distance, and stopped to see what would be done. Jones went back and consulted his friends for a while, and then some man of the crowd went up on the roof of the cabin and set the shingles on fire. I was not near enough to recognize that man. The cabin was burned down. One of my sons and a Mr. Grout went to the cabin and took my goods out after the cabin was set on fire. I left the claim then for several months, until after Mr. Oakley returned. Jones put a man in a house outside of the claim we had bought, and they took our rails we had cut, and raised a crop of corn on our claim. Mr.

Jones never lived in that house, and did not live in the Territory, so far as I know. After Mr. Oakley returned, he built a house on his claim, and we then went on the claim again and occupied it. I went on my share of the claim shortly after Mr. Oakley did, and I commenced building a house. In the conversation, at the time Mr. Hancock was turned out of the house he was living in, Mr. Jones told me, when I threatened to apply for civil redress, that Judge Lecompton was interested in the claim. In September last, an injunction was served upon me, issued by Judge Lecompton, forbidding me to commit any more waste by cutting timber on this land; and the case is still before his court, and I have ever since been under that injunction. After my house was burned, I went to Tecumseh, and applied to the grand jury for redress against these persons for having burned my house and threatened my life, but they refused to give me any hearing. This was before the county lines were established. Attorney General Isaacs told me there was no law in regard to burning houses or mobbing persons, and they had no jurisdiction over it.

SAM'L SMITH.

LAWRENCE, K. T., *May 12, 1856.*

EDWARD OAKLEY called and sworn.

I came out here and landed in Kansas city the first day of April, 1855, with my father, Joseph Oakley, and settled near Lecompton. The town site was laid out, but there were no buildings there. We settled about a mile from the town line. My father's house was burned by S. J. Jones and his party, on the 28th of May, 1855, while my father was about on his way to Michigan. He and his party had, some two or three weeks before, burned down Mr. Samuel Smith's house. I was in my father's home, with Mr. Smith and others, when Jones and his party came up. After the house was set on fire one of Mr. Smith's sons and a neighbor, by the name of Grout, went to the house and took the goods out of it. I saw the man get up on the roof and set the shingles on fire, but was not near enough to recognize who it was.

EDWARD OAKLEY.

LAWRENCE, K. T., *May 12, 1856.*

REV. PARDEE BUTLER called and sworn.

Examined by Mr. Reeder:

I came first into the Territory about the middle of May, 1855, from Iowa. I came in at St. Joseph's, went up on Wolf river, came down on the Kansas river, and then returned and settled on Stranger creek, about twelve miles from Achison. On the 16th of August I went to Achison for the purpose of taking a boat down the river. Mr. Kelly was postmaster at Achison, and is also co-editor of the "Squatter Sovereign." After transacting some business at the post office, I said

to him, in the presence of Archibald Elliott, esq., "I should, some time since, have become a regular subscriber to your paper, only I do not like the spirit of violence that characterises it." He said, "I look upon all free-soilers as rogues, and they ought to be treated as such." I replied, "Well, sir, I am a free-soiler, and expect to vote for Kansas to be a free State." He said, "I do not expect you will be allowed to vote." I went from the post office to my boarding house and remained that day. I related to a number of gentlemen the conversation I have just given, and said to them "an attempt has been made to cow free-soilers into silence; but it is our right to speak, and I intend to utter my sentiments when I please." Nothing more transpired on that day. The next morning Kelly entered my boarding house, accompanied by a number of men, and presented me certain resolutions, cut out of the Squatter Sovereign and pasted on a sheet of white paper, and demanded that I should sign them. They were as follows:

"Whereas, by recent occurrences, it is now known that there are among us agents of the underground railroad, for the express purpose of abducting our slaves; and, whereas, one J. W. B. Kelly, hailing from some infernal abolition den, has, both by words and acts, proved himself a worthy representative of such an association; and, whereas, others in the vicinity, whose idle habits and apparent plenty of money, induce us to believe that they are hirelings of some such infamous society; believing it due not only to ourselves, but to the adjoining portion of Missouri, to rid ourselves of so great an evil, and for the furtherance of this end:

Resolved, 1st. That one J. W. B. Kelly, hailing from Cincinnati, having, upon sundry occasions, denounced our institutions and declared all pro-slavery men ruffians, we deem it an act of kindness to rid him of such company, and hereby command him to leave the town of Atchison in one hour after being informed of the passage of this resolution, never more to show himself in this vicinity.

Resolved, 2d. That in case he fails to obey this reasonable command, we inflict upon him such punishment as the nature of the case and circumstances may require.

Resolved, 3d. That other emissaries of this Aid Society who are now in our midst tampering with our slaves are warned to leave, else they too will meet the reward which their nefarious designs justly merit—hemp.

Resolved, 4th. That we approve and applaud our fellow-townsmen, Grafton Thomasson, for the castigation administered to the said J. W. B. Kelly, whose presence among us is a libel on our good standing and a disgrace to the community.

Resolved, 5th. That we have commenced the good work of purging our town of all resident abolitionists, and after cleansing our town of such nuisances, shall do the same with settlers on Walnut and Independence creeks, whose propensities for cattle stealing are well known to many.

Resolved, 6th. That the chairman appoint a committee of three to wait upon the said Kelly and acquaint him with the action of this meeting.

"*Resolved, 7th.* That the proceedings of this meeting be published, that the world may know our determination.

"On motion of Henry Allen, copies of these resolutions were ordered to be made out, and a committee of three be requested to circulate them, with a view of obtaining signatures, thereby showing who are abolitionists."

This was a difference that grew up between a J. W. B. Kelly from Cincinnati and Robert S. Kelly, of the Squatter Sovereign, and others known as "border ruffians." I declined to subscribe to these resolutions. I commenced reading the resolutions aloud. Robert S. Kelly, editor of the Squatter Sovereign, finally interrupted me and demanded I should sign them. I rose up; walked down stairs into the street; here they stopped me and demanded, "will you sign?" I refused; when they seized me and dragged me to the river, cursing me for a damned abolitionist, and saying they were going to drown me. When we arrived at the bank, Mr. Kelly painted my face with black paint, marking upon it the letter "R." The company had increased to some thirty or forty persons. Without any trial, without witnesses, judge, counsel, or jury, for about two hours I was a sort of target at which were hurled imprecations, curses, arguments, entreaties, accusations, and interrogatories. I told them my coming to Kansas was projected before it became apparent that there would be any controversy about slavery here; that I came for reasons independent and extraneous to this question; that I never had any connexion with any Emigrant Aid Society, and never made any communication to any paper concerning Kansas affairs. I was not accused of tampering with slaves. I explained to them that I could not countenance any interference between master and slave in Kansas, while that was an open question. They alleged nothing more against me than that I had spoken among my neighbors favorably to making Kansas a free State, and had said in the office of the Squatter Sovereign, "I am a free-soiler and intend to vote in favor of making Kansas a free State." Ira Norris, esq., late of Platte City, who was with the company, said, "Mr. Butler, I will advise you for your good, as a friend, when you get away just keep away." I said I intended to go away, but intended to come back again; that I could not leave; that I owned real estate near Atchison, in Missouri, and had a claim on Stranger creek. Some one remarked, you can sell your claim through an agent. I said I would not sell my claim through an agent nor in my own proper person; and that if my life was not taken by them I intended to live upon it. They said, stay on your claim, but keep away from Atchison. I said I should come back to Atchison if my life was not taken and Providence permitted me to do so. They said if I came back again to Atchison they would hang me. They offered to show me the very tree on which they would hang me. They made another proposal, that I might live in the country and vote as I thought best, but hold my tongue. I said I would speak when I pleased. I told them I had done no wrong; that I had as good a right to come there as they had, and should do my duty as I understood it, and they might do the same. I said, "you are many, I am but one man; dispose of me as you think best; I ask no favors of you." They constructed a raft of two cottonwood saw logs, fastened together with inch plank nailed to the logs, upon

which they put me and sent me down the Missouri river. The raft was towed out into the middle of the stream with a canoe. Robert S. Kelly held the rope that towed the raft. They gave me neither oar, rudder, nor anything else to manage my raft with. They put up a flag on the raft with the following inscription upon it: "Eastern Emigrant Aid Express. The Rev. Mr. Butler, agent for the underground railroad. The way they are served in Kansas. For Boston. Cargo insured, unavoidable danger of the Missourians and the Missouri river excepted. Let future emissaries from the north beware. Our hemp crop is sufficient to reward all such scoundrels." They threatened to shoot me if I pulled my flag down. I pulled it down, cut the flag off the flag-staff, made a paddle of the flag-staff, and ultimately got ashore about six miles below.

To the best of my knowledge I had not had any conversation in the presence of slaves. I neither had sought to entice slaves away from their masters, nor did they accuse me of it. They all admitted, when we were together, that I was not an abolitionist, but a free-soiler. By free-soiler I mean one in favor of making Kansas a free State.

On passing through the town of Atchison, I called a few minutes to transact some business with two merchants in town. Besides these two individuals I did not speak with other persons in town. As I went to my buggy to resume my journey Kelly, with others, assaulted me. They dragged me into a grocery, where I was surrounded by a company of men who spoke of themselves as having come from South Carolina. Kelly explained to them that I was the man they had sent down on a raft and ordered not to come back again. These South Carolinians called out "Hang him," "Hang him," "Kill the damned abolitionist." Kelly said to them, "You will do what you please." One South Carolinian came up to me and demanded, "Have you got a revolver?" He handed me a pistol, I do not know whether it was a revolver or not, and said, "Damn you, stand off two steps and I will blow you through in an instant." I told him I had no use for the weapon. He said he was going to shoot me, and made motions as though he was going to, presenting his pistol towards me. His companions persuaded him not to do it, for they said they were going to hang me. They tied my arms behind my back, and said they had a rope to hang me with. I did not see it. They were interrupted by the entrance of General Test, a lawyer of Buchanan county, Missouri. He besought them for the sake of Missouri, and for the sake of Kansas, and for the sake of the proslavery cause, not to do it. They dragged me into another grocery, appointed a moderator, saying they were going to try me. Kelly made a statement to them that last August, when they sent me down river on a raft, they did it because I went about the town talking abolitionism, and because I had spoken in the presence of slaves in such a way as to tempt them to run away. I denied that that was true, and began to tell my story, but they jerked me violently to my seat, and repeatedly interrupted me by choking me, jerking me by the collar, pulling my beard, and calling out, "Damn you, shut up." General Test, and Samuel Dickson, and Esquire Lamb, all pleaded that I might be set at liberty. They all declared themselves pro-

slavery men and in favor of slavery in Kansas, if it could be established by honorable means. They said, "You have taken this man who was passing through your town and doing no person any harm. He had a right to do it. If he has violated the law let him be punished according to law, but do not act in this way." The moderator said, "It is moved that Butler be tarred and feathered and receive thirty-nine lashes." A number voted in the negative, but a majority of voices were in the affirmative. There was a good deal of whispering about the house. The moderator came forward again and said, "It is moved that the last part of the sentence be rescinded, and that Butler be not whipped." Those men that called themselves South Carolinians declared themselves displeased with this arrangement. They said to each other, "If we had known it would have turned out so we would have let — (calling some name, I do not remember what it was,) shoot him at first; he would have done it quicker than a flash." They stripped me naked to the waist, covered my body with tar, and then covered me with cotton wool. They appointed a committee of seven to certainly hang me the next time I should come to Atchison, tossed my clothes into my buggy, and put me into it, accompanied me out to the borders of the town, and halloed and yelled and let me go.

Kelly is not now postmaster; he was only a deputy. I do not recollect the name of the moderator. I recognized but two persons who were in the former mob and were citizens of the town. There was no interference whatever by the authorities of the town, and to the best of my knowledge these men have not been arrested for this offence, and still remain there. There were probably fifty persons in the company, but only about twenty who took an active part. No one interfered, except by word, to prevent their action. They let me away about noon. I can only give Kelly's name, though I recognized one who was in the other mob. The South Carolinians called each other by their names, but I do not recollect them. Kelly is a citizen of the town, and one of the editors of the *Squatter Sovereign*. I do not know that Kelly went with the mob with me out of town. Atchison is about twenty-five miles from Leavenworth City.

PARDEE BUTLER.

LAWRENCE, K. T., *May 9, 1856.*

GEORGE F. WARREN was called and sworn.

I was at Leavenworth at the time of the lynching of William Phillips. It was May 17, 1855. He had written a protest to the governor signed by himself and a number of others. He is a citizen of Leavenworth, a lawyer. A committee served a notice on him to leave the Territory. I saw the notice. The committee consisted of thirty, viz: William Hughes, now clerk in the land office of Mr. Calhoun, surveyor general; H. Rives Pollard, associate editor of the *Kansas Herald* at Leavenworth; William Adams, publisher of the same paper; D. Scott Boyle, then and now clerk of the territorial court under Judge Le Compte; Eli Moore, deputy city marshal of Leavenworth; J. M.

Lyle, chief clerk of the Shawnee legislature; D. J. Johnson, lawyer; Bennett Burnam, city surveyor; J. M. Alexander, a lawyer from Pennsylvania; J. C. Posey, surveyor. I do not remember the names of any more now. This notice was served some days before the mobbing. There was to be a meeting in town on the day the notice required him to leave. Mr. Phillips and myself left on that day. Towards evening we returned. An hour or two after we arrived in town some one wanted to speak to Mr. Phillips in the *Herald* printing office. He went there, and I remained part of the time on the outside where I could see in and hear them talk. They asked him to sign that paper to leave the Territory the next day at noon, at the same time holding a pistol at his head. He would not sign it. A man asked him then if he would fight. He reached his hand to him and told him yes. Some one spoke then and said the man who proposed to fight should not do so, and thus throw away his valuable life for that damned abolitionist. They then proposed to tar and feather Phillips. They could not find any tar and feathers. He told them that molasses would do just as well. I then left, and shortly afterwards I saw Phillips. Some days afterwards, while I and Phillips were helping to raise a building, there was a company of thirteen came there. They were J. M. McLear, William Hughes, Boyle, Burnam, Pollard, Adams, Moore, Heath, Lyle, Johnson, Posey, Mr. Blair, deputy marshal, and one other. Hughes came close to Phillips and told him he must leave the Territory and go with him. McLear put his hand on Phillips' shoulder and told him he must go. All of them had revolvers. Phillips was unarmed, and only three or four of his friends were around, who were all unarmed except myself, and I had a revolver. There were but few persons in sight. Phillips made no reply to McLear. Myself and Mr. Gould rushed towards him and was pushed back, and my pistol was taken from me by a friend of mine from Tennessee who wanted to fire, but I prevented him. They then took Phillips to the river, put him on a flat boat, and all got in and crossed the river. While they were crossing, a magistrate ordered a posse out with arms to rescue him. Only three of us appeared, and they were then crossing the river. They shook their fists at us, and told us we would have to go next. They landed on the other side, and that was the last I saw of them that day. I saw Phillips next morning. He had just finished getting tar off from him and was running bullets. One side of his head was shaved. These men were never punished for this offence. They were at one time brought before Judge Lecompte and bound over to keep the peace. He said it was his duty to remove the clerk and prevent the lawyers from practicing at the bar, but he would not do it for that time. To my knowledge they were never indicted or tried. Most of them are still living in the Territory and holding office.

G. F. WARREN.

LAWRENCE, K. T., May 10, 1856.

A. PAYNE called and sworn.

To Mr. Sherman:

I reside in Leavenworth county, in this Territory, since June, 1854. I was appointed on a committee of ten, at a public meeting of the citizens held on the 30th of April, 1855, relating to William Phillips, and was president of that meeting. In pursuance of the resolutions of that meeting, we notified William Phillips that he had rendered himself obnoxious to this community, and supposed that he had been accessory to the death of Malcomb Clark, who was killed on that day by Cole McRea.

He did not comply with the notice, and did not leave at the time designated. When the time expired we held an adjourned meeting, and, in pursuance of the resolutions of the adjourned meeting, we went to Mr. Phillips' house again, and was told by his brother that he was not there. The committee retired, being satisfied that such was the fact. My impression is, that I next saw Mr. Phillips the evening of the adjourned meeting, about dusk, in the city, near the Herald office. Some person, I don't know who, remarked, in my hearing, that Phillips had deceived us, that he was now in town.

Some one, I think Mr. Posey, went to him and arrested him, or took hold of him, and told him to walk with him into the printing office, that being the nearest room. He went with Mr. Posey, and some six or eight others followed; I don't exactly remember the number, where a consultation was held as to what disposition should be made with Mr. Phillips. Various modes were suggested as to what means should be used to carry out the resolutions, none of which were adopted, and Mr. Phillips was released by partially promising that he would leave as soon as he could wind up his business; that is all I know of it. I was not with him when he was taken over to Weston, and know nothing about it except from hearsay. The paper hereto attached, cut out from the Kansas Weekly Herald, I believe is the published account of the proceedings of the two meetings to which I have referred.

PUBLIC MEETING.

At a meeting of the citizens of Leavenworth and vicinity, held on the evening of the 30th of April, for the purpose of taking some action in regard to one William Phillips, who is reported to have been accessory to the murder of Malcolm Clark, D. J. Johnson was called to the chair, and Joseph L. McAleer chosen secretary.

On motion, the following preamble and resolutions were unanimously adopted.

* Whereas, by facts elicited on the coroner's inquest held over the body of Macolm Clark, as well as from other circumstances that have come to our knowledge, it appears that William Phillips, of Leavenworth, was an accessory to the murder of one of our most respected citizens; and whereas, the conduct of said Phillips, heretofore, has fully demonstrated his unworthiness as a citizen or gentleman; therefore,

Resolved, That, in accordance with the expressed desire of the indignation meeting to-night, William Phillips be ordered to leave this Territory by two o'clock, Thursday evening next; and that a committee of ten be appointed to notify him instanter of the requisition of this meeting.

Resolved, That the notice be written and signed by the committee, who shall proceed, immediately after the adjournment, to the residence of William Phillips, and deliver it to himself in person.

Resolved, That the course to be pursued in regard to the other abolitionists and to the other matters of importance, be left for the decision of the meeting of the citizens, to be held next Thursday.

Resolved, That the proceedings of this meeting be signed by the officers and other members of the committee.

The Chairman appointed the following named gentlemen to wait upon Mr. Phillips: Jarrett Todd, John C. Posey, N. B. Brooks, William C. Berry, Thomas C. Hughes, H. Rives Pollard, Joseph L. McAleer, John H. McBride, James M. Lyle, A. Payne.

On motion, the meeting adjourned to meet again on Thursday, May 3.

D. J. JOHNSON, *Chairman*.

JAMES M. LYLE, *Secretary*.

Signed by Jarrett Todd and others of the committee.

The following is a duplicate of the notice served on William Phillips:

LEAVENWORTH CITY, *April 30, 1855.*

SIR: At a meeting of the citizens of Leavenworth and vicinity, we, the undersigned, were appointed a committee to inform you that they have unanimously determined that you must leave this Territory by two o'clock of Thursday next. Take due notice thereof, and act accordingly.

JARRETT TODD,
JOHN C. POSEY,
N. B. BROOKS,
WILLIAM C. BERRY,
H. RIVES POLLARD,
JOHN H. McBRIDE,
JAMES M. LYLE,
A. PAYNE,
THOMAS C. HUGHES,
WILLIAM L. BLAIR.

WILLIAM PHILLIPS.

Public Indignation Meeting.

Pursuant to adjournment of the indignation meeting on the 30th, the citizens of Leavenworth re-convened on Thursday last, at 11

o'clock, Colonel A. Payne presiding, and James M. Lyle acting as secretary of the meeting.

The committee appointed to draft resolutions reported the following through their chairman, J. M. Alexander, which were unanimously adopted :

Resolved, That we regret the death of our esteemed fellow-citizen, Malcolm Clark, and most bitterly condemn the cowardly act by which he was murdered ; but we would deprecate any violation of the laws of the land by way of revenge, and stand ready to maintain and defend the laws from any violation by any mob violence ; that we do not deem the time has arrived when it is necessary for men to maintain their inalienable rights by setting at defiance the constituted authorities of the country.

Resolved, That we deeply and sincerely sympathize with the family of Malcolm Clark, deceased, in their sad and irreparable bereavement, which has deprived them of an affectionate and doting father, and the community of one of her most useful, enterprising, and esteemed citizens.

Resolved, That the interests of our young and lovely Territory have lost, in the person of Mr. Clark, an energetic and praiseworthy friend ; one who was ever ready to put forward his best energies to advance the public weal, and whose sentiments were liberal, and at all times expressed with a bold and fearless defiance of the errors of the day.

Resolved, That no man has a right to go into any community and disturb its peace and quiet by doing any incendiary acts or circulating incendiary sentiments ; we therefore advise such as are unwilling to submit to the institutions of this country to leave for some climate more congenial to their feelings, as abolition sentiments cannot, nor will not, be tolerated here—and while we do not say what may be the consequences, for the peace and quiet of the community we urge all entertaining and expressing such sentiments to leave immediately, claiming the right to expel all such as persist in such a course.

Resolved, That in the present state of public excitement there is no such thing as controlling the ebullition of feeling, while material remains in the country on which to give it vent. To the peculiar friends of northern *fanatics*, we say, this is not your country, go home and vent your treason, where you may find your sympathy.

Resolved, That we invite the inhabitants of every State, north, south, east, and west, to come among us and to cultivate the beautiful prairie lands of our Territory, but leave behind you the fanaticisms of higher law and all kindred doctrines, come only to maintain the laws as they exist, and not to preach your higher duties of setting them at naught ; for we warn you in advance that our institutions are sacred to us, and must and shall be respected.

Resolved, That the institution of slavery is known and recognized in this Territory, that we repel the doctrine that it is a moral and political evil, and we hurl back with scorn upon its slanderous authors the charge of inhumanity, and we warn all persons not to come to our own peaceful firesides to slander us and sow the seeds of discord between the master and the servant, for much as we may deprecate the

necessity to which we may be driven, we cannot be responsible for the consequences.

Resolved, That we recognize the right of every man to entertain his own sentiments in all questions and to act them out so long as they interfere with neither public or private rights, but that when the acts of men strike at the peace of our social relations and tend to subvert the known and recognized rights of others, such acts are in violation of morals, of natural law, and systems of jurisprudence to which we are accustomed to submit.

Resolved, That a vigilance committee, consisting of thirty members, shall now be appointed, who shall observe and report all such persons as shall openly act in violation of law and order, and by the expression of abolition sentiments produce disturbance to the quiet of the citizens or danger to their domestic relations, and all such persons so offending shall be notified and made to leave the Territory.

The committee appointed on Monday last to notify Mr. Phillips of the requisition of the citizens of Leavenworth, reported to the meeting that the said Phillips had left town in compliance with the instructions given him. On motion of J. Marion Alexander, a *committee of vigilance*, consisting of thirty, was appointed for the purpose of carrying out the resolutions of the meeting. The following gentlemen compose the committee :

HIRAM RICH,
A. PAYNE,
S. D. PITCHER,
A. J. SCOTT,
THOMAS C. HUGHES,
WM. W. CORUM,
JARRETT TODD,
ALEXANDER RUSSELL,
D. J. JOHNSON,
SAMUEL BURGESS,
C. C. HARRISON,
R. E. STALLARD,
G. D. TODD,
M. P. RIVELEY,
H. RIVES POLLARD,
JAMES M. LYLE,

JAMES SUNETT,
JOEL HIATT,
LEWIS N. REES,
L. P. STYLES,
C. N. BURGESS,
JOHN C. POSEY,
G. W. WALKER,
D. SCOTT BOYLE,
E. A. LONG,
WM. G. MATTHIAS,
H. D. McMEEKIN,
JOHN MILLER,
W. L. BLAIR,
NATHANIEL HENDERSON,
H. LONG.

The meeting was ably and eloquently addressed by Judge Lecompte, Colonel J. N. Burnes, of Weston, and D. J. Johnson.

On motion of Bennett Burnham, it was unanimously confirmed, that the proceedings of this meeting be published in the Kansas Herald, Platte Argus, and in all other papers friendly to the cause.

On motion, the meeting adjourned *sine die*.

A. PAYNE, *President*.

JAMES M. LYLE, *Secretary*.

Question. Was you present on the 22d of December, 1855, at the time the press of M. W. Delehay was thrown into the river, and, if so, state the circumstances of that transaction?

Answer. I was here at the time the press was thrown into the river. It was done about the dusk. I could not tell how many persons were engaged in the work of destroying the press. I was in the store below, as much engaged in the protection of property of my friends as anything else. I saw the press when falling from the upper door to the ground. It was injured to some extent in the fall, but I can't say to what extent; and I understand, although I did not see, it was thrown into the river. I suppose the type and other materials were either thrown into the river or scattered upon the ground; the whole printing establishment was destroyed. I do not know of any legal warrant or process by virtue of which this was done; I do not know that the parties engaged in this were ever brought to any judicial trial. I was here on the 15th of December, and remember the time of the adoption of the free State constitution. I saw no other difficulty except the taking of the ballot boxes; they were not destroyed, but I gave them, or ordered them to be given, to the sheriff, Green D. Todd, of the county, who probably has them now.

The election did not go on, to my knowledge, after that. I, and others engaged in this transaction, had no legal process, and acted under no legal process in seizing the ballot box. But three or four of us entered the house, but a number were outside to assist, I suppose, if necessary. To my knowledge, no one has been arrested, tried, or examined for the mobbing of Phillips, the destruction of Delehay's press, or the seizing of the ballot boxes. These acts were done by persons well known, and no effort was made to conceal the persons or the acts.

To Governor King:

The cause of the meeting of which I have spoken was in consequence of the killing of Clark. I was at the squatter's meeting held on the 30th of April, at which Clark was shot. While some one was speaking at that meeting McCrea interrupted the speaker frequently. I remarked to Mr. Clark, who was standing near me, that McCrea was not a Delaware squatter, that he lived on the "government cut-off," as it was called, and that I thought only those interested in the Delaware lands should participate in the meeting. Clark remarked that, if McCrea was not a Delaware squatter, he would request him to retire and not to interrupt the meeting any more. Clark went to McCrea and told him that he understood he was not interested in the Delaware lands, and it was the wish that only such as was should participate in the meeting. McCrea remarked that, if such was the wish of the meeting, that he would retire, and did so. Soon afterwards a resolution was offered, and a vote taken; the ayes and nays being called, McCrea and others of his friends voted.

The chairman being unable to decide, a division was called for, and the question was decided in the affirmative, and the chairman announced that the resolution was carried. McCrea remarked that it was a damned fraud, and that it was through the instrumentality of Malcolm Clark. Clark remarked, "it is not so, sir." McCrea told him it was a God damned lie. Clark made towards him, and I saw McCrea attempting to draw his pistol. Clark seemed to be picking

up something, but I cannot say what. At this time Clark must have seen McCrea in the act of drawing his pistol, being nearer to him than I was. Just at this time the crowd rushed in between myself and Clark and McCrea, and I saw nothing further. I heard the report of the pistol, and Clark exclaimed, "the scoundrel has shot me," and saw McCrea running with a pistol in his hand. Clark died in a few moments. The general rumor prevailed, and I believe it, that Phillips had advised the killing of Clark; and a rumor prevailed, also, that he had been seen to hand McCrea something which was supposed to be a pistol.

I don't know that the matters relative to the destruction of Delahay's press and the taking of the ballot boxes were ever investigated before a grand jury.

A. PAYNE.

LEAVENWORTH CITY, K. T., *May* 29, 1856.

RICHARD R. REES called and sworn.

Examined by Mr. Sherman:

I came into the Territory about the middle of November, 1854, and have resided here ever since. I presided at a meeting of the pro-slavery party held in this city on the 19th of May, 1855. I think C. C. Harrison, a citizen of the district, was secretary of that meeting. My recollection is that the resolutions were presented in writing and passed, and those published in the Kansas Weekly Herald of the 25th of May, 1855, in this city, are correct, as far as I recollect. The "memorable 30th," referred to in the fifth resolution there published I presume refers to a meeting held on the 30th of April, but I do not recollect of being present at that meeting. I was at that time a member elect of the legislative council of this Territory. Ewen D. Todd, I understood, resided in the Territory at that time, but my impression is that Jared Todd resided on his farm across the river. I do not recollect that the resolutions of the meeting of April 30th were referred to except as above.

On the 30th of April, 1855, Judge Lecompte was judge of the court of this district, I think called by the governor the first district. Colonel J. N. ——— I understood to reside at that time in Weston, Missouri. D. J. Johnson resided here in Leavenworth at that time, and I am not aware of his holding any office here then or since. D. Scott Boyle was the clerk of the first district court and has been ever since. Mr. Wm. G. Matthias was then a member elect of the house of representatives of this Territory, according to the returns of the 30th of March, 1855. H. D. McMeekin held the same office then as Mr. Matthias did, and is now, as I understand, a deputy marshal of the Territory and also a deputy sheriff of this county. Green D. Todd is now sheriff of this county, but held no office, as I am aware of, at that time. A. Payne was at that time a member elect of the legislature, according to the returns of the 30th

of March, and I believe is now a colonel of militia. Thomas C. Hughes was afterwards engrossing clerk of the house of representatives, and upon the resignation of Judge Halderman, was chosen chief clerk of the council, and is now constable of Leavenworth township in this county. M. P. Rively is now county treasurer. H. Rives Pollard was connected with the Kansas Herald as associate editor. James M. Lyle was afterwards judge of the election on the 22d of May, and then chief clerk of the house of representatives, and now is clerk of the county board of commissioners of this county. Alexander Russell is now a justice of the peace. Lewis M. Rees was judge of the election of the 30th of March, and is now postmaster at this place. W. L. Blair has been deputy constable since then. L. P. Stiles resided the last time I knew in Farleigh, Platte county, Missouri. C. M. Burgess was judge of election the 29th of November, 1854. The rest of the names published in that connexion are of persons that I do not know of having held offices here, though some of them may have been on the grand or petit juries here.

The following is the copy of resolutions published in the Kansas Herald on the 25th of May, 1855:

PUBLIC MEETING.

At a meeting of the pro-slavery party of this city and vicinity, held on Saturday last, on motion of Jarret Todd, R. R. Rees was called to the chair, and C. C. Harrison was chosen secretary.

After an explanation of the objects of the meeting, the following resolutions were, on motion of Judge Payne, unanimously adopted:

1st. That we heartily endorse the action of the committee of citizens that shaved, tarred and feathered, rode on a rail, and had sold by a negro, William Phillips, the moral perjurer.

2d. That we return our thanks to the committee for faithfully performing the trust enjoined upon them by the pro-slavery party.

3d. That the committee be now discharged.

4th. That we severely condemn those pro-slavery men who from mercenary motives are now calling upon the pro-slavery party to submit without further action.

5th. That in order to secure peace and harmony to the community we now solemnly declare that the pro-slavery party will stand firmly by and carry out the resolutions reported by the committee appointed for that purpose on the "memorable 30th."

On motion of Green D. Todd, it was adopted that the proceedings of this meeting be published in the Kansas Herald, Platte Argus, and all other papers friendly to the cause; after which, on motion of Samuel Burgess, the meeting adjourned.

R. R. REES, *Chairman*.

C. C. HARRISON, *Secretary*.

I cannot identify the proceedings of the meeting of the 30th of April, 1855, as published in the Kansas Herald of May 4, 1855. Thomas C. Hughes, I understand from reputation, is a clerk in the surveyor general's office of this Territory.

Cross-examined by Mr. Whitfield:

There was a public rumor that at a squatters' meeting here Malcolm Clark had been killed by Cole McCrea; the report stating that William Phillips had furnished McCrea the pistol with which Clark was killed. Meetings were held, as I understand, and Phillips was notified to leave. He persisted in remaining, and was taken by some seven or eight men, I do not recollect how many, across the river to Weston, Missouri, and there tarred and feathered. Such was the rumor, but I do not know of the fact. Phillips was publicly charged with being an accessory to the shooting of Clark. The community here were indignant at Phillips also for his affidavit, swearing that voters were deterred from voting here on the 30th of March, 1855, and the prevailing opinion here was that the affidavit was false. This affidavit related to the contest of the election of the 30th of March. These were the circumstances I understood led to the lynching of Phillips. On account of these prevailing rumors and the death of Clark the meeting was held at which the resolutions embodied in this deposition were passed.

By Mr. Sherman:

Several of the persons who attended this meeting and took part in it were, as I understood, parties to the lynching of Phillips. I never talked with any of the free State men about the correctness of Phillips' affidavit, but I knew it to be false myself.

RICHARD R. REES.

LEAVENWORTH CITY, K. T., *May* 17, 1856.

H. H. JOHNSTON called and sworn.

To Mr. Scott:

I was present at an election held in Leavenworth in December, 1855, when the ballot boxes were taken. My house is about fifty or sixty yards from where the election was held. I heard a fuss and disturbance in the street and went down to where the crowd were gathered. I went up immediately to the house and saw Captain Charles Dunn at the window where their votes were received. I heard him demand of Mr. Geo. Keller the ballot box, and asked him repeatedly to give it up, on the ground that the election was illegal. Mr. Keller refused to give it up, and Captain Dunn said he would be forced to take it, and he then pulled the window out and went into the house, and I think one or two were in company with him. Mr. Keller got out of the way in an instant. Mr. Wetherell was engaged some time in trying to get the ballot box, and in getting out from between the wall and the table. He ran through the bar room of the house where the election was held and in the hurry let the ballot box fall in the bar room. Captain Dunn followed him out on the porch, and being excited, demanded the ballot box. Mr. Wetherell drew a bowie knife on him; Captain Dunn, in endeavoring to ward off the blow, knocked the knife out of Wetherell's hand; Dunn then took Wetherell by the

coat collar, by one hand, and struck him several times in the face, and then pulled him down in the mud on his face and hands. A man jumped on Wetherell once or twice with his feet when he was down in the mud, bruising him considerably about the face and head. Captain Murphy came up at that time and seeing Mr. Wetherell, took him up, raised him on his feet, and told the people round, he was a good man, and he believed a law-abiding citizen, and any person attempting to strike him, would have to fight him first. Mr. Wetherell was then taken by two or three men to his store, and in a few minutes afterwards I went in to see him. He told me he was not hurt very badly, that he was more frightened than anything else, and would get all over it in a short time.

H. H. JOHNSTON.

LEAVENWORTH CITY. K. T., *May* 29, 1856.

JOHN LYNCH called and sworn.

To Mr. Scott:

I reside at Doniphan city, in this Territory, and have resided there since March, 1855. I was there at the time of the difficulty in which Samuel Collins was killed. I was in Dr. Brown's office the night before Collins was killed. Up to that time Mr. Collins and myself had been on very friendly terms, though we were of different politics. I was sitting down in a chair with my legs crossed, in Dr. Brown's office, when Collins was advancing towards me, as I supposed, to attack Laughlin, who was behind me, and between whom and Collins some very hard words had just passed, the lie being several times passed between them. Mr. Collins was standing close to me, and I thought Laughlin, from the sound of his voice, was almost directly behind me, which made me afraid to change my position. I requested Mr. Collins not to run over me. He said "Damn you; I will kick every rib in you out of you." I could not say anything I was so embarrassed at that. I still remained in the chair and did not leave the office until Mr. Collins had left it. As Collins left the house, he stood in the door and shaking his finger at me, he said "Damn you, I will take your life." I made no reply to him and he left. I also left and went with Mr. Laughlin to Squire Vandevere and got out a peace warrant against Collins, and then I put in the hands of a constable, and told him where I understood the threats would be put in execution, and requested him to be in before that time.

I was at my breakfast the next morning in one of the rooms of the hotel, when I heard some yelling out of doors. I heard some one say that Mr. Collins was going to kill everybody in town. I looked out of the window and then rushed out of the door, supposing I was one of the threatened. When I got out of doors I saw Mr. Collins flourishing a knife before Mr. Laughlin. I could say what Mr. Laughlin was doing, but I thought he was dodging behind Mr. Foreman, who seemed to be trying to intercede between them. This was between thirty and forty feet from the hotel, perhaps fifty feet. As

my life had been threatened the night before, I seized my gun when I got up from the breakfast table, and took it with me out of doors, and when I got to the corner of the hotel in sight of the parties, I fired it in the direction of Mr. Collins. I then advanced, and we met each other and struck at each other with our guns, which we had clubbed, and I fell, and I know nothing of what took place there afterwards. From the threats that had been made against my life, I shot at Collins in what I considered a necessary defence of my life. I cannot tell whether I hit Mr. Collins or not.

Cross-examined by Mr. Howard :

My gun was a smooth bore shot gun. I do not know what it was loaded with, as it had been loaded by some one else, and I suppose had been brought home loaded. I do not know who had borrowed it, but I frequently loaned it to persons to go duck hunting. I suppose I was between forty and fifty feet, perhaps sixty feet, from Collins when I fired on him, and then we both advanced towards each other.

JAMES LYNCH.

LEAVENWORTH CITY, K. T., *May* 26, 1856.

ALLEN B. LYON called and sworn.

To Mr. Scott :

I reside at Doniphan City, in Doniphan County, in this Territory; and was there building a house in October and November, 1855, and was there at the time of the difficulty between Patrick Laughlin, James Lynch, and Samuel Collins, residents of Doniphan; in which difficulty Collins was killed. The circumstances of the killing of Collins, so far as I know them, were these: On the evening prior, I was in the office of Dr. Oscar Brown, where I slept. Mr. Laughlin came in inquiring for the doctor. Mr. Collins came in about fifteen minutes afterwards. Laughlin was lying on the bed, complaining of being sick. Several gentlemen came in with Mr. Collins. After they had been there some time, Laughlin got up and walked around near Collins, and inquired of him why he had hailed him on the street the day before when passing Collins' mill, and insulted him in the manner that he had. Collins denied having done so. Laughlin declared he had, as he could not be mistaken in the man at that distance. Collins then told he was a damned liar, and a damned perjured scoundrel, that he had published infamous lies to the world, and that he (Collins) would make him take them all back: "or," said he, "you or I one, will land in hell"—or eternity, I forget which—"before breakfast-to-morrow morning." Laughlin told Collins he was a damned liar; upon which Collins rose from the sofa upon which he was sitting by my side, and advanced towards him. I caught Collins by the arm, and tried to persuade him to desist. He sat down, but soon got up again; told Laughlin to prepare himself; that he would be up in the morning early, and that he would make him take back all he had said and published, stating that he was then not armed,

and he knew Laughlin was armed. Collins did not say what publications of Laughlin's he alluded to. This was a few days after Laughlin had published what purported to be an exposition of a secret military society in the Territory; and, so far as I know, there was no other publication of Laughlin's made at or about that time. Mr. Laughlin replied to Collins that he had nothing to take back of what he had stated, and what he had published was true; and as he had done nothing more than what every honest man ought to do, he was not afraid to meet Collins in any way. Collins made a statement in regard to Laughlin, that he understood James Foreman had given Laughlin a cow to change his politics, and publish this exposition. Laughlin told him he was a damned liar, and Collins started towards him, as though he intended to attack him. Mr. Lynch, who was sitting between the two, threw up his hands, and requested Mr. Collins not to advance. Mr. Collins threatened to kick every rib out of Lynch's body; and told him, damn him, he would kill him. Mr. Lynch immediately left the room, and a few minutes afterwards Mr. Collins left, saying, as he went, that he would certainly be back in the morning, and Laughlin should be ready. A short time afterwards, we heard the report of a gun, and then while we looked out of the window, I saw the flash and heard the report of two guns, apparently in the yard of Mr. Collins' house. Mr. Lynch and Mr. Laughlin went that night to get out a peace warrant against Collins. Early the next morning, somewhere about sunrise, young Mr. Collins came over and told me he wished to re-measure some lumber his father had sold me, stating that he thought it had not been measured correctly. He went to the lumber pile, and measured some small quantity, not one half of the lumber, and then young Collins went back home. Laughlin at that time was standing in the main street of Doniphan, about twenty steps from me, talking with Mr. James Foreman and some others. A few minutes afterward, I started to breakfast. When I got to the corner upon which the hotel stands, I met Mr. Collins, his two sons and a nephew. Mr. Collins had a double-barrel shot gun in his hand, both barrels cocked. Mr. Laughlin was walking directly from Collins, about twenty yards in advance, with his back towards Collins. I tried to attract the attention of Mr. Collins, but he paid no attention to me. He called to Laughlin, and said, "stop, God damn you, and take back everything you have said, or I will put sixteen through you," and kept advancing on him all the time, frequently repeating his demand to Laughlin to take back what he had said and published. Laughlin turned round, and stood with a bucket of flour on his arm, and told Collins he had nothing to take back, and nothing that he could take back. When within about six yards of him, Collins drew up his gun, pointed it at Laughlin, and pulled one trigger; the gun did not go off. He then rushed upon Laughlin, cursing furiously, drew a large knife from his breast, flourished it in front of Laughlin's neck two or three times, demanding that he should take back what he had said. Laughlin refused, and he plunged the knife into Laughlin's left side. Laughlin staggered several steps back, retreating from him. Collins then drew up his gun again, and presented it at Laughlin; and as he pulled the trigger, Mr. Fore-

man got his hand upon the barrel of the gun, and forced the muzzle down, and the contents entered the ground between Laughlin's feet. At this moment, a gun was fired from the bar of the hotel. I heard the shot strike against the fence on the opposite side of the street. Mr. Collins immediately wheeled round, throwing up the breach of his gun, and advanced. Mr. Lynch met him with a shot gun in his hand, holding it by the barrel. Mr. Collins struck at Mr. Lynch, who received the blow on his gun, and the breeches of both guns were broken off; the next blow Mr. Collins knocked Mr. Lynch down. It was not until Mr. Collins' attention was drawn towards Mr. Lynch that Mr. Laughlin attempted to draw a weapon. I had been watching him very closely, wondering why he did not do it before. After Mr. Collins had knocked Mr. Lynch down, he turned round and advanced towards Laughlin, with the barrels of his gun raised as for a blow. Mr. Laughlin had his pistol out and fired at Mr. Collins, who dropped his gun barrels, and clasped his arms around his breast, and cried out, "Oh, Lord!" He soon sank down on the ground, and died in a few minutes. Mr. Laughlin was knocked down with a club, just after he had fired his pistol, by a son of Mr. Collins, I think. After Laughlin fell, Mr. Collins' nephew threw a piece of brick at him, which just brushed his hair. Mr. Laughlin's brother ran up at this moment, and seized the pistol which had fallen out of the hands of his brother, and fired at Mr. Collins' nephew, who was running away, and the ball just grazed the side of his neck. He then turned and presented the pistol at young Collins, who had knocked his brother down, who threw up both hands and asked him not to shoot, that his father was dead, and he desisted. I then went up to Mr. Collins, opened his bosom, saw that he had received several shot in his right side. The fight then stopped, and those who had been shot and knocked down were then carried away. The ground was covered with blood, like one had been butchering a hog, and I thought there were at least three persons killed—Collins, Laughlin and Lynch.

The town was in a state of disquiet and alarm for some weeks afterwards, in consequence of what had taken place, and the threats that were made against the lives of Laughlin and Lynch. While Mr. Laughlin was confined to his bed at the house of Mr. James Forman, some excitement was caused by the report that some one had attempted to break into the house, whereupon a guard was placed around the house to protect him. As soon as possible, Laughlin was removed to St. Joseph, Missouri. I did not myself hear any threats made against Laughlin and Lynch, but such was the rumor. The officer told me that a peace warrant was taken out and placed in his hands to be used on Collins the night before the fight, and he got into town a few minutes after the fight had taken place. Collins was notorious for being a free State man.

Cross-examined by Mr. Howard.

I understood that Mr. Collins had been living in that neighborhood for some months, and at the time he was killed was running a steam saw mill. I also understood that Mr. Laughlin had been living there for some months; both of them were comparatively old residents, and

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had been free State men and acting together up to a short time before this difficulty, when Laughlin had changed his politics and published to the world what he styled an exposition of a secret military organization, and had implicated Mr. Collins in it, as colonel of the Doniphan regiment in that organization. Mr. Collins was from Andrew county, Missouri, where I had been acquainted with him. Mr. Lynch was from Kentucky, and a pro-slavery man. Mr. Laughlin was from Kentucky, and was a pro-slavery man. Collins' two sons and his nephew were free State men. Mr. James Foreman was a pro-slavery man. Mr. Foreman tried to stop Mr. Collins as he first went towards Laughlin, and succeeded in pushing down Collins' gun as he fired. He seemed to be using every effort to prevent the shedding of blood. I think that this was a political difficulty. Mr. Lynch and Mr. Collins seemed to be friendly up to the time of the altercation in Mr. Brown's office. All seemed anxious to prevent the shedding of blood except Mr. Collins, his sons, and his nephew. On the morning of the fight, one of the young Collins had a dogwood club in his hand about four feet long, and as large round as a man's wrist. I did not notice whether the other two young men had anything or not. I never learned why the guns were fired in Collins' yard after he had left Brown's office.

A. B. LYON.

LEAVENWORTH CITY, K. T., *May 26, 1856.*

WILLIAM BURGESS called and sworn.

By Governor King:

I am a resident citizen of Leavenworth county, and was present at the election in Leavenworth city for the adoption of the free State constitution the 15th of December last. I know George Wetherell. I saw the encounter between Wetherell and Charles Dunn about the ballot-box. After Charles Dunn demanded the ballot-box and told the judges it was an unlawful election that they were holding, that it was unconstitutional and against the laws of the Territory, Mr. Keller told Dunn that he would not deliver the ballot-box. Dunn then jumped into the window, when Wetherell seized the ballot-box and ran into another room and out through into the street, and as he ran had a revolver and a bowie knife in his hand at the same time. Just about the time he got to the door Dunn overhauled him and seized the ballot-box. I am confident that Wetherell had a bowie knife and revolver in his hand, as I have stated.

To Mr. Sherman:

Wetherell must have dropped the pistol at the scuffle for the ballot-box. While Dunn had hold of Wetherell, the latter drew his bowie knife. Dunn then knocked him down. This was all I saw.

To Governor King:

After knocking Wetherell down Dunn returned into the house, and did nothing more.

WILLIAM BURGESS.

LEAVENWORTH CITY, K. T., *May 30, 1856.*

GEORGE WETHERILL called and sworn.

To Mr. Sherman :

I came into the Territory in August, 1855, I think, from Pennsylvania, and settled in the city of Leavenworth, where I have since resided. I keep a grocery store here. I was one of the clerks of an election held here on the 15th of December last, on the adoption of the State constitution. We opened the polls about nine o'clock in the morning, and the voting went on without interruption until noon. Then Captain Charles Dunn came to the window, in a very boisterous manner, and demanded the ballot-box. Mr. George Keller, H. M. Hook, and Adam Fisher were the judges of election. When the demand was made Mr. Keller tried to reason with him, and induce him leave. There was some talk between the two parties. He then smashed in the windows and jumped in, together with several men, none of whom I knew except Dunn. I cannot name any of the others, and have not been able since to find out who they were. Before this time one of the judges and one of the clerks had gone to dinner, but the voting was going on until Dunn came up. The judges rushed out into the next room, in the same building, and made their way out and made off. In the burry of the moment, I snatched up the ballot-box and followed them. I threw the ballot-box behind a counter in the adjoining room as I passed out. As I was passing out of doors Dunn caught me by the throat and pushed me up against the outside of the building, and demanded the ballot-box. I do not exactly remember my reply, but I think I told him I had not got it, but did not tell him where it was. He then struck me in the mouth with his fist, and another person struck me on the right side of the face. I either fell or was pushed down into the mud, the crowd at the time rushing on to me. They jumped upon my head and back, and kicked me in the side. Mr. R. P. Brown, Mr. Anthony, and others came to my rescue, and carried me to Mr. McCracken's store. I was very much injured on the 15th of December. I was bruised, but received no cut wounds. I was able to be about the store a day or two afterwards a little. In a day or two I was able to attend to my ordinary business. I was not right well afterwards. About the first of January I was taken down sick with the rheumatism, and have not been well since. I never had the rheumatism before. I supposed it was the effect of cold weather, and partly from my business. After the attack upon the judges the election was suspended.

Cross-examined by Mr. King :

I had no weapons about me at the time, and did not draw a pistol upon Dunn when he came into the room.

GEORGE WETHERILL.

LEAVENWORTH CITY, K. T., *May* 26, 1856.

GEORGE H. KELLER recalled.

To Mr. Howard :

I was one of the judges of election in 1855, in this city, at the election upon the adoption of the Topeka State constitution. I acted as one of the judges. About one o'clock in the day, while the election was going on, Captain Charles Dunn came there and ordered us to desist. I told him I reckoned not. He commanded me, under the authority of the territorial laws, to desist immediately. I told him not to be too fast; that I did not think we would desist. He said we should, and then called his men, and they rallied around, and he then demanded a ballot-box. I told him he could not have it; that I should not give it up. When I told him, he then seized the sash of the window where we had been receiving votes and pulled it out, and all his party and himself came through the window into our room. They were armed with guns, revolvers, and bowie knives. I think Mr. Witherell and myself were the last of our people who left the room after Dunn and his party came in. I saw no more of Mr. Witherell on account of the great crowd around there until I saw some three or four men carrying him along apparently very much exhausted and bruised. Mr. Witherell had no arms that day to my knowledge. When the first demand was made for the ballot box, and Captain Dunn had stepped back into the street to call his men, I remarked that we had no arms to defend ourselves, and those in the room with me, among whom was Mr. Witherell, assented to my observation. I saw no bowie knife or pistol on Mr. Witherell, and think he had nothing of the kind. I had no arms myself more than a small penknife. I saw some of the crowd going up the street afterwards holding up the ballot-box, with exultive shouts, and I do not know what became of it.

Cross-examined by Mr. Oliver :

Mr. Dunn said he considered our election an unlawful assemblage, and therefore demanded the ballot-box. I think he said something about our proceedings being against all law, and that the people were determined not to have it go on. The election was held under the authority of the Topeka convention. I do not know of any other authority claimed for it at that time.

G. H. KELLER.

LEAVENWORTH CITY, K. T., *May 31, 1856.*

G. W. HOLLIS called and sworn.

To Mr. Howard :

I reside in this city, and have been here since April, 1855. I was here in December last, and attended an election where votes were taken upon the adoption of a State constitution, the polls being held on Cherokee street. I was there when the ballot-box was taken away.

Mr. Dunn came down about one o'clock and demanded the ballot-box, in the name of the territorial laws, of the judges, Mr. Keller and others, Mr. Witherell being one of the clerks. The ballot-box was not given upon the first demand, and he demanded it again. He then called the boys to come on, and broke in the window, and went into the window, I think. I saw him afterwards come out of the front door on Main street. He caught Mr. Witherell at the door just as Mr. Witherell came out. He drew back his hand to strike him, but I do not know whether he struck him or not. The crowd marched together, and Witherell was carried by a rush of some eight or ten off the stoop, Witherell falling on the ground as he fell off the stoop. I saw a man kick him, but I did not see any one jump on him. I do not think Witherell had any weapons of any kind: I saw him draw none. Witherell was taken down on the cover to Mr. McCracken's store by his friends.

Cross-examined by Mr. Oliver :

I do not know what authority this election was held under, except the Topeka convention. I cannot say whether he had a bowie knife or not; I do not think he had one; I did not see him have any; he may have had one, as he was concealed a portion of the time, to some extent, by the crowd. I do not know that Mr. Witherell had the ballot-box; do not know who had it. I think Mr. Dunn demanded the ballot-box in the name of the territorial laws. I do not know what grounds he had for demanding it. I saw no violence offered to the judges. I saw no one strike Witherell; and all the violence I saw was some one kick him.

To Mr. Howard :

I did not see Mr. Dunn show any warrant for demanding the ballot-box, and I do not know whether he had any or not.

G. W. HOLLIS.

LEAVENWORTH CITY, K. T., *May* 31, 1856.

H. M. Hook called and sworn.

To Mr. Howard :

I have lived in Leavenworth City since the fall of 1854. I was at an election in December last when the ballot-box was taken. I was one of the judges of the election that day. I was at home at dinner at the time the box was taken. When I got back the window was taken out and the judges were away. I did not see Mr. Witherell when he was hurt that day. I saw no arms about him that day.

H. M. HOOK.

LEAVENWORTH CITY, K. T., *May* 31, 1856.

JOSEPH H. BIRD called and sworn.

I was at the election at Easton on the 17th of January, 1856. I live in Leavenworth, and am by occupation a house-carpenter. The

night of the election I staid at Easton, at Mr. Minard's house, the place where the election was held. We had not been disturbed before the election was about being closed. Afterwards, about six o'clock at night, a large party of horsemen, I should think forty or fifty, not more, came down towards the house, and a few of them, some five or six, demanded the ballot-box. They were not answered right away, and they threatened to come and take the ballot-box; that they would have it, if they had to shoot every man there, or something to that effect. I do not remember the precise words they used. There was a report during that day that there was to be an attempt to take the ballot-box, after they had collected in a sufficient body to do so. After this party demanded the ballot box, the persons at the house came out in front of the house and ranged themselves in a line. The free State party then tried to choose a commander, but did not do so on account of the disorder among them. The horsemen then went away. The next that was done, some fifteen from our house, and I was one of them, went up to the grocery to see how many were there. Brown was the leader of the party. When we got up there all the men on the opposite side turned out and formed in a line, and we did the same ourselves. Brown stepped out and said we came up to get a drink, and we would have it. There was some little show of fight. Some of both parties were pretty much drunk, but there was no disturbance, and we went in and got a drink and then went back to the house. Then about twelve o'clock or later, Mr. Sparks and one of his sons, and a person named Tritt, who lived with Sparks, started for home. Mr. Tritt was riding but the rest were on foot. Mr. Sparks was armed with a double barrellled gun, and his son, I think, had a rifle. Mr. Tritt I think was not armed. The first thing we heard was Tritt came along on his horse, very much frightened, saying that they had got Sparks prisoner, and that as many as nine persons had shot at him. Then Mr. Brown said all must go to the rescue of Sparks, and fifteen of us seized our arms and went up to the rescue. Of those who went were Mr. Knight, Mr. Brown, Mr. Lucas, Mr. Taylor, Mr. Robertson, Mr. Wright, and myself, so far as I can recollect. I know there were quite fifteen of us, because when we were some way from the house Brown drew us up in a line to count us and see how many we were, and then went back to the house to get more. No more came, and we then went up to Dawson's and found Sparks and his son in a lane formed of two fences. We went to the upper end as if we were going to march right down through. Brown called out to them that we would have Sparks and must have him; that they must deliver him up. When they saw a body of us by moonlight they opened and let the Sparks' come out up to us, which they did. At the end of the lane Mr. Sparks shook hands with Brown and myself, and seemed to be glad we had come. They said we need not think we had got Sparks secure, for they would take him before he got across the prairie. They also said they would shoot him before he got across the prairie. We were all very much excited. When we came out of the lane we went off towards a log house to the left, towards Mr. Minards, and the other party took the other road towards Dawson's, the parties diverging from each other. When we got just opposite the log house,

we heard a good deal of hollowing from the other party, and turned round and some one of the party fired, and I heard the ball distinctly as it passed over my head. They had got just up to the back of Dawson's store. That was the first firing I heard that night. Brown then turned around to us and said, "boys they have fired on us," and appeared very much excited. They then fired again, one shot striking a man by the side of me, Mr. Sparks' son, on the arm, making a very bad bruise, but did not draw blood, but went through his coat close to his skin. Then Brown turned round and leveled his rifle, one of these rifles, and a great portion of us did the same, and fired. There was then a general firing by both parties. I noticed after we had fired that there was quite a collection got round one place, but I could not tell what for. While we had been firing we had been retreating towards Mr. Minard's house, and coming up to another house on our way there, we took protection behind it. We then loaded up our guns, and some, if not most of us, fired again, as others did on the other side. There was pretty sharp firing for about ten minutes. The moon was shining on our guns and prevented our taking aim. We then retreated towards Minard's and staid there all night. Nothing more happened during the night, except that we heard that there was a man at Dawson's either killed or dangerously wounded. None of our party was wounded but Sparks. I found a shot in my scalp a day or two afterwards, but did not know it at the time. Young Sparks also had a wound on the top of his head which made him very sick and kept him in the house all night.

We started home in the morning between eight and nine o'clock, I should think. When we got within about a mile of the road that turned to Salt creek, which we intended to take, two wagon loads of men, eight in a wagon, each in a four mule team, came rushing down hill, full speed, past us without saying anything. Our horses were walking at the time going up hill. They drove past a little ways and stopped. One of them drove back past us, and turned partly across the road as if to stop us. They then hailed us and asked us where we came from, and where we were going: whether we were free State or pro-slavery. Some one of us answered that it was no time to answer such questions. We were all the time driving on. They then jumped out of their wagons and came up towards us, and we then jumped out of our wagon. Brown called to them and told them to keep their distance, that we were well armed and could defend ourselves against them. Our wagon had stopped when we jumped out of it, and we stood by it. We looked at the top of the hill and saw a body of horsemen coming, who came down to us and told us to go up to the top of the hill. We did so, and the other persons in the two wagons; the horsemen went up with us. When we got up there, there was a cry that they had got Brown sure, and they made a rush towards our wagon. Captain Martin interfered, and told them there must be no violence, and that we must be treated as prisoners. He also told us we must give up our arms. Brown then stood up in the wagon and told Martin we were ready to give up our arms if he would treat us as prisoners should be treated, but we did not want any Kickapoo rangers' treatment. There was a rush

then made by a man named Gibson, before any reply was made, at a Mr. Taylor, who had a Sharpe's rifle, the only one in our company. He took away his rifle and passed it over to some one else, and then I saw Taylor was down and Gibson was on him; with his hatchet make a pass at Taylor and knock off his hat, scraping his head very closely. Some person then interfered to prevent Gibson from hurting Taylor. Taylor then got up and went away from Gibson, who made another dash at him, and the person defending Taylor from the hatchet was severely cut in his hand. He was one of their party, but I do not know who he was. Martin then went to Brown and told him he must give up his arms; that he commanded that company, and would assure Brown good usage. Brown gave up his revolvers and two guns in the wagon. They also took the guns from the rest of our party. We retained our pocket arms until we got back part way to Easton, when they also were given up to Martin. I never heard of those arms again. We were then taken back to Easton. They said we must go back with them, and they would deal with us in accordance to how many were killed the previous night. When we arrived at Easton we were put in Dawson's store, where we staid some half an hour, when Captain Martin came in and told Brown he must go with them into the next room, as they wanted to try him. Brown was then taken and carried into the other room in Dr. Motter's office. We were left with a body to guard us. A great many of the other party had got rather excited by liquor, and were in the room with us, and bought ropes and made nooses, and declared they would use them to hang us. They made a great many threats of the like character. They next called on me to go in and be examined. I went in, and Brown was still there. They had just commenced to examine me, when the door, which was locked, was burst open and a crowd rushed in, headed by Gibson. Gibson had the Sharpe rifle, which he presented to Brown's heart. Brown then took hold of it and pushed it away from him. Gibson then took his hatchet and struck Brown a blow on the side of the forehead. There was a general rush in and out, some coming in and some going out. A great many, excited by liquor, declared they would kill Brown, and many rushed out, as I supposed, so that they should not witness it. I knew I could not help Brown, and I rushed with the crowd that were going out. Brown had no arms when he was struck with the hatchet. I did not see Brown fall as soon as the blow was made. I did not consider it sufficient to knock him down. It was on the left side, and was rather a gash on the temple. I saw the cut and the blood. Dr. Motter, Captain Martin, and others, were in the room when the rush was made in. I was not there afterwards, and never saw Brown afterwards. When Brown was struck he was standing up and said: "Keep him off!" "Keep him off!" and tried to defend himself. I went back into Dawson's store. Captain Martin came in shortly after and told us there was a poor chance for us, but he would do all he could for us; that his men were getting drunk very fast and he could not control them. He said if we would put our names to a piece of paper he would give us a chance to escape. He said we had better start a foot, and he would send the team on after us. We then

put our names on a piece of blank paper, and Captain Martin said we had better start and make the best of our way home. This was about five o'clock in the afternoon, I think. We then left and made the best of our way home. We had got some two miles when we saw some six or eight horsemen full chase after us. We went off to the side of the road and stopped until they passed, and we heard them say if they caught us again we should not get away so easy. I got home here, to Leavenworth, between eleven and twelve o'clock that night.

Cross-examined by Mr. Oliver :

When we signed that paper some of them, Mr. John Dunn among them, said he knew the most of us ; that we were generally inclined to mind our business and stay at home, and he thought Brown was the leader of this, and other talk to that effect, and then Captain Martin asked us to sign that blank piece of paper, as I believe, for the purpose of using it to save us. I think he did all he could to that effect, and acted, so far as I could see, like a gentleman. Many others behaved well ; but others had got drunk at the grocery. I was pretty certain that Gibson and a man called Isaacs were not drunk, and they were worse than any who were drunk, though there were many of them.

JOSEPH H. BIRD.

LEAVENWORTH CITY, K. T., *May* 16, 1856.

HENRY J. ADAMS called and sworn.

I reside in Leavenworth city. I first came here about the first of July last. I am a native of New York, but came from Washington city here, and have been engaged in public surveys.

I was at the election of Easton the 17th of January, 1856. It was an election for State officers under the State constitution of Kansas. It is in this district and the twelfth election district under the State apportionment. I went from this city to that election, accompanied by R. P. Brown, J. C. Greene, Calvin Lucas, and a man by the name of Robinson, and one by the name of Byrd, whose first names I do not remember, George Taylor, and a Frenchman employed by Mr. Brown to drive his team. There were eight of us in the wagon.

After the election was over, a party of men came up from Mr. Dawson's store, about a quarter of a mile east of Mr. Minard's, where the election was held, I think, twenty-five or thirty in number, for the purpose of taking the ballot-box or poll-list, as we understood. Some of our party were out with their guns, drawn up in line near the door to resist any such attempt. Considerable altercation took place back and forth, but I do not recollect exactly what was said. Some of our party were considerably excited and I thought were going rather too far, and Mr. Minard and I were apprehensive they might fire upon this party coming up, and we urged them not to do so, to commit no act of hostility except in self defence. After some parleying, and, I thought, urging by the leader of the party coming up, to get his men

over, they retired without doing anything. The main body went back to Mr. Dawson's, three or four of them remaining about halfway between Minard's and Dawson's, apparently on the watch. Soon after they retired they sent a messenger up with a written demand, not signed, but addressed, I think, to Mr. Minard, for the ballot box. Mr. Minard knew the individual who brought it, and told him he was surprised to see him in that business, and to take the message back to him who sent it and tell him if he had any message to send him, to sign it. He went back with it, and shortly afterwards another man came up with another message of the same import, and with a threat, I think, to come and take the ballot box in an hour, if it was not delivered up. It was signed, I think, by Doctor Motter. I am not certain that he signed himself "Doctor," but that is what he is called. No further attempt was made to take the ballot-box. Two or three persons from this party came up to Minard's house at different times during the evening. One man, whose name was said to be McAlister, I recollect as one of them. Mr. Minard was acquainted with McAlister, and he talked with him for about an hour, and I thought there would be no disturbance. Some of our party at two different times went to Dawson's. No hostility was displayed towards them, that I heard of. I did not go myself, and with several others advised our men not to go down there for fear something might give rise to disturbance. About forty of us staid with Mr. Minard, by agreement, for the purpose of assisting him to defend his house, as we were apprehensive it would be attacked. I was satisfied there would be no further disturbance, and about one or two o'clock in the night I went to bed. Shortly after, before I had got asleep, I heard a stir in another room and went out of mine to see the cause of it. I learned that Mr. Sparks and one or two of his sons had started to go home, and while going by Mr. Dawson's house had been captured, and that Mr. Brown and a party of twelve or fifteen had gone to their rescue. I heard firing a short time afterwards, and saw the flash of guns and thought there might have been twenty-five shots consisting of one volley at one time, and several scattering shots before and after. Shortly after the firing, Mr. Brown and the party with him returned with Mr. Sparks and his sons. One of the sons had been slightly wounded in the arm, he said. No further disturbance arose during the night, and early the next morning all of our party had dispersed and gone home.

I left about eight or nine o'clock in the morning. When we were about half way from Easton to Leavenworth, we met two wagons loaded with men, and one of the wagons was drawn by four animals—mules, I think. They hailed us to know where we were from, and wanted us to stop. There was a double track, and Mr. Brown drove by them without stopping. Shortly after we passed them, we saw another and a larger party in front of us, two wagons, and about thirty on horseback. The party in the wagons we already met, shouted to those in front of us, and they answered by a shout, and then all rode around us and surrounded us. We got out of the wagon, and Mr. Brown said, "I think the time has come," or something like that, and raised his gun as the party were rushing in upon us, levell-

ing their guns and shouting. I suggested to Mr. Brown not to fire. I do not know as he had any intention of firing; but I thought there was no use in our small party making any resistance. I recognized Mr. Pierce Risely, and asked him if he had any authority in that crowd. He said he had not: that Captain Martin commanded these men. I asked him to point out Captain Martin to me. He did so. Martin was near by on a horse, and hearing his name mentioned, he rode up where we were standing. At this time there was a great deal of noise and disorder. I asked Captain Martin if he commanded these men. He said he did. I asked him if he could bring them to order, and I think he said he could; and I either asked or insisted that he should do it: and he made an effort to do so, and, I think, partially succeeded. When I had done speaking to Martin, I turned round and saw George Taylor, one of our party, on the ground, and two or three men were around him, and partially over him, and he was making an effort to get up. As he got partly up, his head came in sight, and a man who had a hatchet struck at his head. I have understood that that man's name was Gibson. I sprang there and caught the hatchet in time to prevent its hitting Taylor. Some person on the other side of Taylor caught Gibson about the same time, and pulled him round out of my reach. It was one of his own party, trying to prevent his killing Taylor, which he seemed bent on doing. Gibson made a second blow at Taylor's head, and one of his own party caught the hatchet. He then commenced hacking Taylor's cap to pieces, which was on the ground. I told Martin to put Taylor under the protection of some one who would take care of him, as I thought he was hurt. I told Martin to put Gibson under guard, as he seemed bent on killing somebody, and I was afraid he would do it.

These men were all armed with guns, pistols, some of them with Bowie knives, and a great many with hatchets stuck in their belts. The most of them were hatchets apparently just taken from some store.

We asked them what they meant by stopping us in that way, and what they were going to do? and they said they had understood that several pro-slavery men had been killed out at Easton; that there was a large party of free State men from Lawrence there, and they were going out to see if it was so, and they were going to hang those who had killed the pro-slavery men. There was a good deal said about hanging; I do not remember it all. They said they had already procured the ropes. They insisted upon our getting into one wagon and going back to Easton with them. We objected to that, but were obliged to submit; and I proposed to Captain Martin that some of his men should ride in our wagon, and some of our men ride in his wagon. I was satisfied that there were some men in his party so excited that I did not consider we would be safe, surrounded by them, with none of their men with us. Martin consented to that arrangement. Two of his men rode in our wagon and two of our men in his. When these men first stopped us they took everything out of the wagon, including some five or six guns. Brown's gun was taken from his own hands, I think, and I saw Gibson take Taylor's

gun away from him. They took two blankets from the wagon and a small carpet satchell, containing some child's clothing, which Mrs. Brown had left at Minard's some days before. One of our party had worn his blanket around him, as is customary in this country. As we were going back he complained of being cold. I spoke to Martin about these blankets, and insisted upon their being restored immediately. He made or professed to make some effort to find them, but they were not restored. After we had been taken back to Easton, they put us all in Mr. Dawson's store, and placed as many men in there to guard us as could well get in, and had a strong guard outside. I was there, I think, three quarters of an hour, or an hour. There was a good deal of threatening, talking of hanging, and while I was there some two or three who lived in the neighborhood were brought in prisoners. One of them was one I saw the evening before at Minard's, and they told him they were going to hang him. They told us all they were going to hang us; assured us repeatedly of that, and showed us the rope they were going to hang us with, and said they had enough to hang us all with. And while I was in Dawson's store a man came in, whom I understood was one of the editors of the Kickapoo Pioneer, and enquired if Brown was in the room, and which one he was. Brown was pointed out to him, and he levelled a rifle at him, and asked him if he was responsible for what he had said, or something to that effect. Some one suggested to him that this was not Brown the editor of the Herald of Freedom. He lowered his gun then, and made some remark. I am not positive what it was.

They let me go, I think, three-quarters of an hour or an hour after I was taken there. Something was said about my being a United States surveyor, and I suppose that was the reason they let me go. No reason was given why they let me go. One of their party, a Mr. Sharp, was talking to me in a very excited manner, when a Mr. Grover whispered something to him; whereupon Sharp turned round and apologised to me, and told me he had been under a misapprehension in regard to me, and I could go if I wished. I at first told him I would not leave; but, after a little reflection, I concluded it would be better for me to go, as I might be able to get some assistance to get my friends out of their hands. Before I left I saw a Mr. Burnham and a Mr. Lyle, from this place, come into the room where we were. I asked Mr. Burnham to use his influence with these men for the protection of the party. I know he was a pro-slavery man, and supposed he had influence with them. Burnham promised he would do what he could for them. I asked Mr. Sharp to go with me and find Captain Martin, Mr. Kively, and Dr. Harris; I wanted to see them together before I left. He went with me and we found these men; I think all three of them. I asked them what they intended to do with our party. They told me that not one of them should be harmed, except Brown. I do not remember precisely what they said they would do to Brown. They left the impression on my mind that he was in very great danger, and that he would be killed if he was not got out of their hands. My impression now is, that they avoided stating distinctly what they would do with him. I learned, either

from them or others standing by, that they had sent parties out in pursuit of Minard and Sparks, and those parties were out when I left. I understood, I think, from Martin, that they intended to punish Minard and Sparks as well as Brown. I asked them why they wished to injure Minard, and they answered that he had made himself obnoxious, or odious, in that neighborhood, but they did not state how. I came away then, after they promised me that they would not harm any of the rest of the party but Brown; "that not a hair of their heads should be hurt." I saw none of the rest of the party until nine or ten o'clock in the evening. I left there about two or three o'clock. Before I left there I charged them to take certain excitable individuals out of the room, and put sober men in their places, if they wanted to keep from injuring any of the rest of the party. Before I could get any relief, I heard of the discharge of the others of the party, and that Brown was taken home mortally wounded.

I do not think I knew any of the first party who came up on the day of election and demanded the ballot box. Of the party who took us prisoners I recognized but two; one Mr. Rively, of Salt creek, and Dr. Harris, of Kickapoo. I subsequently learned the names of Mr. Sharp, Mr. Daniel Grover, and I have understood a member of the council of this Territory, Captain Martin, captain of the Kickapoo rangers, Mr. Gibson and Mr. Posey. There was a company from here who joined the rangers there after we were carried to Easton as prisoners. Among them was Mr. Bennett Burnham, county surveyor, appointed by the legislature, I believe, and Mr. Lyle, now clerk of the probate court in this county. I saw a Mr. John Dunn there, but do not know whether he was with the party who took us or joined them afterwards. The company of men who took us is ordinarily called the Kickapoo Rangers, and at that time, I understand, was a volunteer company. After that I saw an announcement in the Kickapoo Pioneer of their organization, and, I understood, regularly organized under the military law, Captain Martin as captain, and Mr. Rively as one of the lieutenants. None of these men have been arrested that I know of, and none publicly examined for this offence that I know of. A grand jury has been empanelled here, but I think the court did not sit for the trial of causes. None of the property taken from us was returned, except one pistol. Mr. Minard is a man of a very peaceable and quiet disposition, and I should not consider him one to cause any trouble in a neighborhood. So far as I know, Brown was a quiet, peaceable man also; no fighting man, though a resolute one.

HENRY J. ADAMS.

LEAVENWORTH CITY, K. T., *May* 15, 1856.

J. C. GREEN called and sworn.

I reside in this city. I came here the 20th of March, 1855. I was here in January last, and went over to Easton to an election held on the 17th of January, 1856. Mr. Adams, Mr. R. P. Brown, Mr. Bird, Mr. Lucas, Mr. Robinson, Mr. Taylor, myself, and a Frenchman, I think, called Jareau, to drive, joined our party. There were eight of us who went to Easton together in Mr. Brown's wagon. I remained in Easton all day. There were various reports that a party were coming to take the ballot-box. Towards night a party of men came up within a hundred yards of Mr. Minard's house, where the election was held. They appeared to be generally armed, and were yelling. A party of men who were at the house stepped out and told them they must come no further. They then stopped and used a good deal of abusive language. The one who seemed to be in command of the party coming up, told them to charge several times, but they did not do so. After standing there a short time, they turned and went back. During the evening one or two men from that party came to the house, and said they wanted the ballot-box. One man came up on horseback, and brought a note to Mr. Minard, which he read, stating that if we would wait an hour they would come and take the ballot-box. Mr. Minard, I think, sent the note back. About one or two o'clock that night, Mr. Sparks, who was there, and lived some four or five miles from there, said he would go home, and started off, with one or two of his sons, and another man named Clark Tritt, I think. They had been gone but a short time, when Tritt came back, apparently very much alarmed, stating that the other party had taken Mr. Sparks, and were going to kill him. As soon as that was known, Mr. Brown, with some fifteen men, I think, started to rescue Sparks. I did not go myself. They had been gone not half an hour when we heard considerable firing in that direction. Brown and his party returned with Mr. Sparks and his sons, one of whom was slightly wounded. After breakfast in the morning we started for home. After riding about six miles, we met two wagons filled with men, who told us to stop. Mr. Brown told the driver to go on, and we passed them; and then their two wagons were turned about and followed us. Some of them jumped out of their wagons, and said they would see if we would not stop. We then jumped out of our wagon, and Mr. Brown, I think, told them if they wanted anything to come on. We then saw in the road in front of us some forty or fifty more men armed, some with horses and some with wagons. They had stopped at a house near there. We kept walking along until we came up to them. They began cursing us, saying that they had got us, and were going to hang us. Finally, they said we must get into our wagon and go back to Easton. Some of our party objected to our all getting into our wagon, and thought it was not safe to do so. They then put some of us in our wagon, and some in another, and the whole party started with us towards Easton. While on the way, some one of their party saw that I had a revolver, and he remarked to me that I had better give it up. I told him I would give it to the captain of their company, if

they had any captain. He said they had, and that his name was Martin. Presently Martin came along on horseback by the side of the wagon, and I gave him two revolvers. I had one in a belt, and the other I had in my pocket. Upon arriving at Easton, we were taken into Mr. Dawson's store. Some men were left to guard us in the house, while others were sent for Mr. Minard. After a while the party returned, and one of them said that Minard had too good a horse for them, and they could not catch him, but they thought they had wounded him, as they had fired at him, and had seen him reel on his horse. I do not know who said this. The party who took us prisoners were joined by others at Easton, and this man was one of the men, but I do not know which of those parties he belonged to. I heard them express some anxiety with regard to a party they said had been sent after Mr. Sparks. Some one remarked that there had been only eight sent, and he did not think eight men could take Sparks from his neighborhood. We had not been there long before these men brought in Mr. Tritt, thrusting him into the door, saying, "Damn you, we have got you now, and we will hang you." Some one of their party, who was in the room with us, proposed that they should buy a rope to hang us all with. They then asked the clerk of the store if he had any rope there, and he said he had. Presently I saw one of these men with a piece of new rope wound around his arm, and a young man by the name of Eli Moore, who lived at this place at that time, but now, I understand, at LeCompton, came in, and reviewing most of us, remarked to some of us that they had got us, and were going to hang us all. About four o'clock, I should think, some of them came in and told Mr. Brown that he must go with them. I think previous to this they had released Mr. Adams. I should think we were first put into the store about one or two o'clock. Mr. Brown hesitated considerably about going out with these men. They insisted upon his going with them, and one man took hold of him. He finally went with them. Most of the party who had taken us prisoners went out with Mr. Brown, and said they were going to try him. They had been gone half an hour, perhaps, or more, when Captain Martin came into the room where we were, and said that the men were determined to kill Brown. He did not think they could be restrained; and if they killed Brown they would kill all of us, unless we were let go there. He then put it to a vote with the men who were guarding us, and they all consented to let us go. We went out with them until we passed the building where Brown was said to be, and there they left us; and five of us went to the woods as soon as we could, the Frenchman remaining there with the team of Brown. We had been in the woods some twenty minutes, when we heard these men going along the road with their wagons and horses towards Kickapoo. It was then a little dark. Of those who went with Brown to rescue Sparks, I recollect George Taylor, Joseph Byrd, and Calvin Lucas, I think. The others I do not recollect.

Of those who took us prisoners, I recognised Mr. D. A. N. Grover, Mr. Rively, John Dunn, and a man they called Gibson, another they called Blake, I think, Dr. Harris, and Mr. Berry. Of those who joined the party at Easton, I recognised D. J. Johnson, J. M. Lyle,

Bennett Burnham, Mr. Shockley, Mr. McAlear, Eli Moore, James Rich, a young man by the name of Donner, I think—they called him Major Donner—and Mr. Alexander Russell, a justice of the peace there, and appointed by the territorial legislature. I do not now remember any others.

I saw Gibson have a hatchet when we were taken prisoners, and also after we had been taken to Easton. Many of the men on horseback had small hatchets—I should think ordinary lath hatchets—which appeared to be new. As we were in the store before we were discharged, I heard many of the men say that Brown should never get away from Easton alive. One man came into the store and said that Brown had as many friends in the room where they were trying him as he had enemies, and he would be damned if Brown should get away from there alive. Some one said that Brown ought not to be killed, but ought to be given up to the law. Some one then said they would be damned if Brown should get away alive. Some among these men appeared to be anxious to have no one killed. As we came out of the store, where we were discharged, I heard considerable noise in the adjoining building, where Brown was said to be. Some one outside objected to our going away. Mr. Burnham, who was with me, told them that it was all right.

Cross-examined by Mr. Oliver :

I have not said that Mr. Sparks was taken prisoner, but that I heard so. I do not know that Mr. Tritt, who belonged to our party, and who said that Sparks was taken prisoner, was with us with any message. All I know about Sparks' being taken prisoner was from Tritt and Sparks, both of whom were of our party.

I was present when Brown's party started to rescue Sparks. They were armed with rifles, most of them, and some, I presume, had revolvers ; but I do not know that they had any other weapons. I was not with that company. I should think there were about fifteen of them when they started from Mr. Minard's house. I do not know how many they had when they reached the place where Sparks was held. It was about a quarter of a mile to the grocery where Sparks was said to be—perhaps half a mile. The party said they were going down to rescue Mr. Sparks—I supposed in any way they could, and at all hazards. I do not know how many persons had Sparks in charge. They brought Mr. Sparks back with them. I do not know that any of the opposite or pro-slavery party attempted to vote at Easton. I do not remember that any of the free-State party said anything about the pro-slavery party attempting or offering to vote. I do not remember of any of the pro-slavery party offering to vote that day, and being prevented by the free-State party. I should judge there were about seventy free-State men at that election, many of them armed with rifles and revolvers, and perhaps some of them with small pistols and bowie-knives. I do not think any of them had hatchets. I did not see any. I should presume that half of them were armed, but I think not with rifles. I saw many there who did not appear to have arms. I think likely one-half of them had arms in sight. The election was for members of the legislature and officers of the State

government and a representative to Congress. I think about seventy votes were cast that day. I do not know of any pro-slavery men having voted. I am satisfied no objection would have been made if any pro-slavery man had attempted to vote. That election was held upon the ground that the people of Kansas had adopted a State constitution which had been framed at Topeka; and believing that that constitution had been adopted by the people, they were voting for State officers under it, and also in accordance with the proclamation issued by the executive committee. I understood that James H. Lane, Cyrus K. Holliday, J. K. Goodwin, G. W. Brown, G. W. Smith, and Marcus J. Parrott, were on that committee. Dr. Charles Robinson, I think, was treasurer of the committee, though he may have been a member of the committee. I think Governor Reeder had nothing to do with that committee.

Question. Was not that election held upon the alleged ground, among other reasons, that the laws passed by the Kansas legislature, held at Shawnee Mission, were null and void, and to which no allegiance was owed?

Answer. I cannot say that it was held upon those grounds. I understood it to be held upon the ground that the people of Kansas had a right to frame and adopt a State government whenever they pleased, and that even if the territorial laws were valid, yet the people of Kansas had a right to vote under a constitution framed by themselves, the election being held by order of the executive committee, and under the State constitution formed at Topeka.

Question. From whence did you claim to derive the authority to frame this constitution?

Answer. We claimed to derive it from the organic act, and from the fact that the people had a right to frame their own institutions to suit themselves.

Question. Was not the ground assumed by your party that the laws of the legislature held at Shawnee Mission, convened under the proclamation of Governor Reeder at Pawnee at first, were null and void?

Answer. That was the ground assumed, perhaps, by a majority of the party.

Question. Did Governor Robinson assume that ground?

Answer. I do not know that I ever heard him, or Governor Reeder, say anything about that.

Question. What is your ground on the subject?

Answer. My ground has been, that I did regard those enactments as really legal; but still I have always obeyed them when summoned before the court, as I was once as a witness. My opinion was, and is, that those laws are null and void.

I understood the captain to say that they had determined to kill Brown, and I understood him to refer to some of his men, and to all who were then in the room with Brown. I got the idea that Martin did not want Brown killed. The free-State party took their arms with them to defend the ballot-box, because it had been taken from them at an election in this city; and they had understood that it would be taken away, or an attempt made to do so, at any place in this county. The ballot-box was taken in this city, I think, on the

15th of December, 1855, at an election upon adopting the free-State constitution. I saw a man (Charles Dunn) go into the room where the ballot-box was, and come out with it. It was the intention of the free-State party at the election at Easton to resist any mob trying to take the ballot-box, or break up the election. I do not remember that anything was said that day about the election being against the territorial laws. I never understood that the governor or the territorial authorities would interfere with that election, and we did not expect any such thing. I have heard a good many free-State men say that the territorial laws were null and void, because they were passed by a legislature imposed upon them by foreign votes; but others thought it better to get along with them the best they could. I think most all I have heard speak of it said they thought the laws were null and void; but some would try and get along with them the best they could. I think the most of the free-State party think they owe no allegiance to those laws, and if they obey them, it is to preserve peace and have no difficulty. I have heard men of our party express contempt for these laws, and have heard them say they were not valid, and have heard them also say, that even if they were valid, they had the right to make a State government for themselves. I think because the free-State party regarded those laws as oppressive, as well as null and void, perhaps they proceeded with the State organization leading to this election.

I think the people of Kansas counselled this election. I do not really know who were the leaders in this movement. I have heard J. B. Chapman, of Kansapolis, (Whitfield City formerly,) say he was the first man who proposed it. He holds no office under the State government. I have had considerable conversation with Dr. Robinson, but I do not recollect that there was anything said particularly in regard to that matter. His views were, that the people of Kansas had a right to form a State government, and quoted the example of Michigan, Arkansas, and California. I cannot say that he ever said anything to me in regard to the validity of the laws of this Territory. I may have heard him say something about them, but I do not recollect what he said. I have heard him refer to the bogus legislature in contradistinction to other legislatures, but I cannot state what he said. I think, from his calling the legislature at Shawnee a bogus legislature, that he regarded their laws null and void.

[Mr. Howard objects to this testimony in relation to the elections being taken in this connexion, as the whole course of the committee has been to take the testimony upon different subjects, in different depositions; and also that it is not strictly a cross-examination; and claiming the witness as his witness in chief in this examination, in reference to the death of Brown.

Mr. Oliver states that he has not understood any such course as having been followed by the committee; that he did not appear as an attorney, but as a member of this committee, and therefore not to be restricted to rules of cross-examination, as would apply to party and party; and that this having nothing to do with the contested election between Reeder and Whitfield, and neither of these gentlemen, nor their attorneys, being present, nor any person repre-

senting any party of people in this Territory, he insists that he has the right to ask any question of the witness touching the troubles in this Territory, whether they bear immediately or mediately upon them; and further, that it does not lie with the majority of this committee to restrain him in that examination.

Mr. Sherman understood the rule under which the committee have heretofore acted to be this: that in all public matters relating to elections their examinations should be with open doors; in all matters where individuals are charged with crime, and especially with homicide, the examination should be in secret. This rule was adopted by general consent. This witness was called during a recent session to testify as to facts connected with the homicide of Brown, and therefore, he thinks, that, according to the rule, the question of the validity of the laws of the Territorial legislature ought not to be examined into in secret session, but that the testimony will be competent and proper at another time, and with open doors. It has also been the practice of the committee to keep each subject by itself; and where a witness is examined on two distinct matters, his testimony is separated, and each part signed; and Mr. Sherman thinks that this rule ought to be adhered to, and that this subject ought to be embraced in a separate deposition; but as it has proceeded thus far, as a part of the examination of this witness, touching the homicide of Brown, it may as well be completed.

Mr. Howard thinks the examination in this connexion about the election of the free-State party as irregular at present, though not incompetent as a separate deposition, that being the rule heretofore followed by the committee.]

Examination resumed by Mr. Oliver, who did not claim to be strictly cross-examining.

Witness. I do not think I ever conversed with Governor Reeder about this matter. I had an introduction to him about a year ago, but had not much acquaintance with him until he was at this city, about a month ago.

I think at Easton, while we were prisoners there, I heard two or three different individuals remark that they did not want any fighting, or any injury done to any one, but I did not know who said so. I was at the election in Easton the day before, and voted there. I voted for Charles Robinson for governor, N. Y. Roberts for lieutenant-governor, Colonel Mark W. Delaha for member to Congress. I arrived at the place of election at 10 or 11 o'clock on the 17th of January, and remained there through the night, until perhaps 8 or 9 o'clock the next day. I think I saw one or two individuals, free-State men, drink from a bottle that would hold about a pint, that they had in a wagon near the house. I saw some that I thought were under the influence of ardent spirits, as I saw some persons drink there. I saw Mr. Brown, the deceased, drink out of the bottle I have referred to, but I do not know as I could state that I saw any body else drink. This was about 9 or 10 o'clock at night. I told Mr. Brown that I thought he was a little intoxicated, and he said he was not. I should think it was one or two o'clock in the morning that Brown and his party went down to rescue Sparks. I think he had been asleep that

night, but I do not know certainly about that. I was up when they started, but did not go with them. There was a call for all who had guns to go, and I did not consider myself called upon to go, as I had no guns. I had two revolvers, but there were other reasons why some of us did not go. I should think about fifteen went. I noticed them first particularly; they were on foot, and were armed with their guns, and some had revolvers and knives, and one or two young men had small pistols. The understanding when they left was that they were going to rescue Sparks. Sparks had left, some fifteen minutes or half an hour before they started for him, for home. I think two of Mr. Sparks's sons and Mr. Tritt went with Sparks, when he left. I think Mr. Sparks had a double-barrelled gun, but I do not think the rest were armed, though I am not positive about that. I do not know that any of the pro-slavery party were up there before the election was over, but two came up after the election was over. I think there was no interruption by the pro-slavery party to the election while it was going on, except what I have stated about a party having come up near the polls, about thirty or forty in number, and their officer ordered them to charge, when some of our party went out, but they did not do so.

To Mr. Sherman :

The election was not held here, in Leavenworth city, because the business men of this place were afraid if it was held here it would result in bloodshed and the destruction of property, and that was the general impression. It was feared that it would result in a general riot. It was expected by the citizens that the opposing force would consist of citizens of this town and from Missouri.

To Mr. Oliver :

I cannot say that I know of any Missourians who threatened to interfere with this election.

J. C. GREEN.

LEAVENWORTH CITY, K. T., *May 16, 1856.*

DAVID BROWN called and sworn.

I came into the Territory about the middle of September, 1854. I am no relation to Mr. R. P. Brown. I lived about three miles northwest from here, in Salt Creek valley. R. P. Brown lived upon a claim west of me, adjoining mine, some 600 yards from where I lived, upon another man's claim of the name of McCrea, and lived in the cabin of McCrea. I understood there was some partnership in regard to the living on the claim. Mr. Brown had a wife, and a little girl some two and a half years old, living with him. I was at the house some three or four hours after Brown was brought home. I was the first man who was sent for. About 12 o'clock at night a messenger came to me to come to this place to get a doctor. I did not get any one to go out, but spoke to one, who promised to come. The one who

brought me the message was a Frenchman, named Charles Jareau, I think a teamster for Brown. I got back to Brown's house about 3 o'clock, and found him in a dying condition, lying upon a pallet on the floor, his clothes literally covered with blood. I sat down, took his head upon my lap, and examined the wound. I asked him how he was; he said he was dying, but should die in a good cause. I commenced opening his vest to ascertain if there were any further wounds in his body, and he told me they were all in his head. I opened his vest, but found no other wound. He raised apparently from one side as if he wanted to turn over to the other side, and exclaimed, "I am dying;" and immediately died, with his head upon my lap. When I was unbuttoning his vest, Mrs. McCrea, of the house, handed me some warm drink to offer him, but I discovered he was too far gone, and returned it to them. The man who was present stated that they had been giving him some warm drinks at the grocery before they brought him home. This man's name was Charles Dunn, and he was captain of one of the companies out there in the affair. He insisted on my offering it to Brown, but I refused. After Brown died, I proceeded to superintend the burial, changing the clothes, getting a coffin, &c. He was buried on Sunday, the 20th of January. Dunn told me that he had befriended Brown, notwithstanding they had been personal enemies, and had brought him home from Easton, where the affray took place. He said when he first discovered Brown he had received this wound; and after receiving the wound, Brown had made his escape, fled to the woods, and had been caught and brought back; and Dunn had been instrumental in keeping them there from shooting or hanging Brown, as some wanted to do.

Dunn showed me a fresh wound he had received on his hand, he said, while doing this, in shielding off a gun, to prevent a man from shooting Brown. Dunn was at that time very much intoxicated. After Brown died, Dunn promised to come back immediately, but he did not. I saw nothing of him until about 11 o'clock the next day. He lives about a mile from where Brown lived.

The wound on Brown's head was on the left side of the head, cutting the inside of the left ear, and extending perhaps two inches long to the left temple, cutting off a lock of hair. His body was taken up about a week after he was buried, when his brother came on here, and was examined by three physicians of this place. I helped to take the body up, and saw the physicians examine the wound, and run the middle finger of their hands into the skull the whole length of the finger.

I have never known of the public examination of any of the men engaged in this matter, or of any attempt to arrest any of those men. After Brown died, his wife and child came to my house and lived with me until about the first of April, when I saw her on a steamboat and start on her way home to Michigan. Mrs. McCrea lived with me during the same time, and left with Mrs. Brown. After Brown was killed, Mrs. McCrea sold her claim.

I was at the election at Easton on the 17th of January, 1856; and on my way there I was stopped by the Kickapoo Rangers, who demanded where I was going and where my business was. I declined

for a time to tell them. They insisted, and I told them one portion of my business, which was to go and see a Mr. Dawson, a pro-slavery man, to get some money he owed me. That did not seem to satisfy them altogether, and they asked me if I was going to the election to vote. I told them I thought probably I would go to the polls. I said I did not know whether I should vote or not. Two of them, who seemed to be the most forward of them, separated—one taking my horse by the bridle, and the other went back in the grocery where I was stopped, some two miles this side of Easton, where these Rangers were stationed. The one who went to the grocery was named McAleary, and the other was named Hubbard. Hubbard flourished a little pistol around, which he said sometimes silenced abolitionists. Mr. McAleary, after he returned from the grocery, told me I could pass on, and I did so, and went to the election after having collected the money of Mr. Dawson, and then returned back and stopped with the Kickapoo Rangers, voluntarily, at the grocery. They inquired if I had been to the election. I told them I had. They asked me who were sitting as judges of the election. I told them I did not know them. They said they were going up to take the ballot-box. I told them they had not force enough to do that; that, in the first place, there was no ballot-box; that the voting was done in a man's hat. They said they would go and take the hat. I said they could not do that, for there were about sixty men there who I believed were able to and would defend the ballot-box. I then left them and went home. This McAleary did most of the talking with me. I did not know this Hubbard, and may have mistaken his name. I did not see Dunn that day. I should think this company of Kickapoo Rangers consisted of about twenty-five when I was stopped going out. When I came back, I should think there were only twelve or fifteen of them. On my return some of them appeared to be intoxicated, but none, I think, when I went out.

After Brown died, I came to town to get a shroud and a coffin made, and on my way back I met this Dunn coming towards the town. Just after I got back to where Brown's body was, a man who was working for Merrill Smith came in, and said that a Mr. Harvey had sent him to forbid me or any one else touching the body till a coroner's inquest could be held over it. I therefore left him until that night at candle-lighting, when the same messenger came back and told me Mr. Harvey had declined acting in the matter, as he could not get enough to come with him. I then helped to dress the body, and it was buried the next day.

To Mr. Howard :

I came from East Tennessee to Minnesota Territory, and then here.
DAVID BROWN.

LEAVENWORTH CITY, K. T., *May* 15, 1856.

M. P. RIVELY called and sworn.

I reside at Salt creek, three miles west of this place, and keep store there. I was near Easton on the 18th of January, 1856. I first saw Mr. R. P. Brown near Easton on that day, with a number of men with him, whose names I do not recollect. He was walking, but I do not recollect whether by his wagon or not. As that was some time ago, I do not recollect much that took place; not much took place while I was there. Some men had him, but I don't know whether they were Kickapoo Rangers or not. They had him at Easton, after they took him in Dawson's store, where they kept him. I thought I would be brought up here to testify in relation to the elections, and not in regard to any little difficulties that have occurred in the Territory. I did not come up here to give any testimony about anything but elections.

[Mr. Howard stated to the witness the object of the examination, and read to him the authority given to the committee by the House of Representatives.]

By Mr. Sherman :

Q. Will true answers to questions as to what was done that day by the persons you have spoken of to R. P. Brown, tend to criminate you personally?

A. Upon due reflection, I think they might in some slight degree.

By Mr. Howard :

Q. What persons were there of Mr. Brown's party?

A. I am acquainted with but one of them—a Mr. Adams, I think, a surveyor. The rest I do not know, and don't think I should know any of them now, except a Mr. Green. There were some six others, I think, besides those two.

Q. Did you see Brown's party before they got to Easton?

A. I saw his party, and suppose Brown was with them, though I did not see him, some five or six miles this side of Easton.

They had a wagon with them, but I do not know whether they had just got out of it or not. A Frenchman named Jareau, I think, was driving. When the wagons met, I think there were of our party a man named Capt. John W. Martin, of Kickapoo; a Mr. Gibson, who, I think, lived at Kickapoo at that time, but I don't know where he lives now, though I have seen him at Kickapoo and at Weston within the last three weeks. Charles Dunn was not with us when the two parties met, but joined us at Easton in the afternoon. A Mr. D. A. N. Grover, now member of the council, and brother to the district attorney, was there. Mr. Sharp was there from Kickapoo. Dr. Harris, from near Kickapoo, was there. Mr. Adkins was there; I do not know his first name, nor where he lives. I think that is about all I can recollect. I should think there were about twelve or fifteen of our party. I think Brown's party consisted of from seven to nine. I think all our party were on horseback, but I do not recollect of their having a wagon, though they may have had. I do not recollect of any other

wagons there but Brown's, and if there had been I think I should have recollected it. There may have been, but I do not now recollect of any other wagons there but Brown's. Brown's party had guns and revolvers with them, but I do not know that all had. Our party took them prisoners, and made them go back to Easton with us. I think they did not make any resistance to going back, though they did not seem to like it. In going back they rode in their wagon part of the way and part of the way they walked. I was on horseback, part of the time ahead and part behind. I think they were put in Dawson's store when we got to Easton. We got there, I think, about two o'clock in the afternoon; it might have been before noon. I kept along near them all the time going there. We did not let them all go at one time; most of them went off, I think, near about four o'clock. We had no warrant to stop these men. We heard that Mr. Brown, with a number of others, had been out holding an illegal election at Easton; that there had been some misunderstanding between Brown and his party and some gentlemen who lived at Easton, and that Mr. Brown was the leader of the party who fired upon those gentlemen, killing a gentleman by the name of Cook, a pro-slavery man, a resident of the Territory. We then determined to take back this party, and see whether they had fired upon the gentlemen at Easton, and whether Mr. Cook had been shot. They went back with us, and we ascertained that there had been a fight, and that they had shot at a party of pro-slavery men with guns and pistols, and had shot Mr. Cook. Mr. Cook was an old settler, so I understand; a man of family, and a very clever man. He subsequently died. When we got there, Mr. Cook was lying in Mr. Dawson's house, groaning, as I heard him do, but I did not see him. The citizens were very much exasperated, and it is not to be wondered at that they should retaliate; I fully expected they would. The prisoners were questioned, and all let go home, but Mr. Brown. It was proven that Mr. Brown was the leader of the band who had made the attack the night before, and shot several rounds at the gentlemen of Easton. Brown did not deny it. They then considered what should be done with Brown, but did not agree upon anything. All considered him guilty of a very bad act, in heading the mob and first firing upon the citizens at Easton. Some did not wish to punish, as he was in the power of a dozen or more men by himself, though they thought he had acted badly. He was then taken out of the store by some one, I do not recollect whom; and it was proposed by some person, I do not recollect whom, that Brown and Gibson should fight, which they did. Brown fought, and Gibson knocked him down with his fist; that I saw. While he was down, Brown hallooed "Enough." He then got up, and I led him to the wagon and put him in it, and he went home in the wagon. That is all I recollect of it. I went off in advance of the wagon, and the next day I heard Brown was dying. I did not see the fight between Brown and Gibson when it commenced. I saw Gibson knock him down, and saw Brown strike at him. I did not see Gibson use any weapon at that time, though I saw Gibson have a hatchet as we were going out there that day. I did not see him have a hatchet at the time of the fight. I do not know that Brown was bleeding when I helped him in the wagon,

for it was about dusk. Mr. Charles Dunn helped me to lead Brown to the wagon, and Brown got in himself. I was not at Easton on the day of this illegal election. I did not see either Brown or Gibson, at the time of the fight, have any weapon. It was about dusk, and I should probably not have seen the weapons if they had had any. The fight took place near the store, but no ring was formed. I do not know how large the party of Easton men was that Brown had fired on the day before. I do not know that any of Brown's party was wounded. The pro-slavery men were taking no part in the election. I heard that they were at Mr. Dawson's store, and Brown and his party came down there to attack them. I do not recollect of hearing, the day Brown was hurt, that the pro-slavery men of Easton had demanded the ballot-box the day before. The pro-slavery party that Brown's party fired at were represented as being much smaller than the other.

When our party met Brown's party, before we went back to Easton, I recollect of seeing Gibson strike at a young man with a hatchet. I think the young man was on his feet running from Gibson, and I saw Captain Martin take hold of Gibson to hold him. This young man had no gun at that time. I do not know what became of the arms of Brown's party, and do not recollect what was said about or done with them when we took them. These prisoners did not have their arms when they were in Dawson's store, and I do not know what had become of them.

Dr. Harris, of Kickapoo, came over here and said they had been killing some of our men at Easton, and wanted us to go and see if it was so. I do not know whether our party was armed. I had none myself. I do not recollect of seeing any one with a hatchet but Gibson. Gibson might have struck Brown with a hatchet, and I not have seen it. I did not look on all the time. The fight did not last more than a minute or two. I did not see Gibson knock Brown down more than once. I saw no rope put around Brown's neck, though I heard some threats. I heard there at Easton that Brown's party had come down from Minard's, where the election was held, and had challenged the pro-slavery men of Easton to fight; had used insulting language, and that had incensed the pro-slavery men. I did not hear that the pro-slavery party had taken any free-State man prisoner just before the fight, or that Brown had come to rescue any one; but I heard that he had come there simply to fight. I heard nothing about a free-State man named Sparks being captured by the pro-slavery party. I do not know, of my own knowledge, that the grand jury has made any inquiry into this matter, or have ever attempted to inquire into this fracas. I have been a member of the grand jury since that time, and nothing was said about it then, and no one ever came before the grand jury to make any complaints that I know of. Easton is in this county. I did not know Brown before that day; but I had seen Gibson once or twice. So far as my recollection goes, I do not think there were more than twelve or fifteen in our party that day. There may have been a wagon in our party that day, but I don't recollect about it. I am confident there were not four wagons in our party. Brown's party had been stopped by some gentlemen ahead o

us, and behind them as we came up. Gibson was of that party, but I do not recollect whether he was on horseback or on foot. So far as I recollect, there were not three wagons in our party; but I am not so confident as I was about there not being four, though I have no idea that there was that many in our party, and I do not recollect our having any four-horse or mule team. I am not positive that there were not twenty men in our party. There may have been more than twelve or fifteen, but that is as near as I can recollect. I would not like to say, upon my oath, there were not thirty; but my impression is that there were not. Mr. Sharp, who was with us at Easton, was on the grand jury when I was. There might have been others of our party on that day on the grand jury, but I recollect of none but Sharp and myself. Deputy Marshal McMeekin summoned us to serve on the grand jury. I am not sure he was not at Easton that day. He lives in this city. I do not recollect whether the judges of the illegal election on the 17th of January last have been indicted or not. There has been some inquiry, I believe. There have been indictments found against those who acted as judges on the election of the adoption of the State constitution. I know our utmost endeavors were made to find out who acted as judges and clerks on the 17th of January last, and at all the bogus elections held by the abolitionists here; but I do not recollect whether or not their names have ever been found out. We were very anxious to find them out, as we thought they acted illegally. I am from Philadelphia to this Territory, and came out here in April, 1852. I do not know of any indictments having been found against persons for political offences.

They killed one of the pro-slavery men, and the pro-slavery men killed one of the others, and I thought it was about mutual. I am opposed to all these quarrels.

M. P. RIVELY.

LEAVENWORTH CITY, K. T., *May* 15, 1856.

GEORGE A. TAYLOR called and sworn.

I was at Easton at the election of the 17th of January, 1856. I went up with Mr. Brown. A Mr. Sparks had been at the election that day. After the election was over, I heard that he had been stopped and taken prisoner, while on his way home, by a company at Dawson's store. When we heard that, some twenty of us started on foot, and went down and found Mr. Sparks surrounded by the company, down a lane a little to the right of Mr. Dawson's store. When I first saw Mr. Sparks he was standing near a fence, and had a double-barrelled gun with him, and the others were standing around him. Some one of our party asked if Mr. Sparks was there, and it was answered that he was. Mr. Brown, I believe, said that we had come down after him, and wanted him delivered up. They said Mr. Sparks could go, as they did not wish to detain him there. Mr. Sparks then came over and joined us, as we were all mixed up together in a crowd. We then separated, and after we had got about one hundred yards from that party, with Mr. Sparks with us, there was a shot from the

other side, which I thought was fired at us. We immediately returned the fire, and it was kept up on both sides for perhaps fifteen minutes. One of our men was wounded. As soon as the firing stopped we all returned to Mr. Minard's. When we got to the house, we found that one of Mr. Sparks's sons was wounded, a ball having broken the skin on the top of his head so as to draw blood. We remained at Minard's till the next morning at sunrise without any more trouble. Most of the free-State men had gone home at that time.

Mr. Brown and his party, eight in all, including the driver, then started to return to Leavenworth. We had got about a mile from where the Kickapoo road joins the Fort Kearney road, where we saw two wagon loads of about fifteen men. When we got up against them they asked us if we were free-State or pro-slavery. There was no answer made to that. They ordered us to halt, and we drove directly along without saying a word. After we got about twenty-five yards, there were two rifles pointed at us from the two wagons we had just passed. A part of our party, all but the driver, then got out of our wagon and walked along by the side of it. We went on very slowly, and one man came on foot and passed us, with a revolver in each hand, and joined the other party.

When we got to the top of a knoll, we saw another party—I should think of a hundred men—who were at a double log-house. We walked on up the road to where they were. Directly one of them came to me and told me he wanted my rifle. I gave it to him. I was standing among the crowd about five minutes, and the man who took my rifle came up to me and knocked me down, and several hit me while I was down. He caught hold of my hair, and when I raised up I saw him trying to hit me with a hatchet. I raised up and pulled away from him. I dodged about then for some time, and he followed me with his hatchet. Some one caught him and held him, so as to prevent his hitting me. In the mean time the horses had started, and some one fired a revolver at the driver. The horses were then turned around, and we were put in our wagon—two pro-slavery men exchanging places with two of our party—and we were taken back to Dawson's store and kept there. I was let off about three hours after Mr. Adams left.

There was a man there who said his name was Sharp, who came into the store and told Mr. Brown that they wanted him to come out. Mr. Brown then went out with them, and that was the last time I saw him. After Mr. Brown went out, they came in for Mr. Bird, and he went out and came back directly. We were all discharged about three-quarters of an hour after Mr. Brown was called—a little after sunset. As we came out, we saw a crowd very near the door gathered around some one, I understood to be Mr. Brown, some crying out, "kill him," and others saying they had better not. I should think there were at least 125 men, consisting of those who took us, and others, from Leavenworth. Those who took us called themselves the Kickapoo Rangers. Of those I saw there, I knew Mr. Burnham, of this city, and a Major Donner, I think they called him.

These men were all armed with rifles, double-barrelled shot-guns, and nearly all with revolvers and knives. While we were kept in the store as prisoners, I heard men say that Brown should never go away

alive; and others, that they had rather not kill him. They appeared to be angry with him because he was the leader of our party. They complained of his being at the election, and the leader of the party who came down the night before to rescue Mr. Sparks. I heard no demand made for the poll-books. There was a party came up about sundown, but I do not know what they came for. I have never seen my rifle since it was taken from me. It is fourteen miles, I think, from here to Easton. Mr. Sparks, I think, lives in the neighborhood of Easton. I do not know his full name.

GEORGE A. TAYLOR.

LEAVENWORTH CITY, K. T., *May* 15, 1856.

DR. JAMES DAVIS called and sworn.

I came to this place about the 4th of April, 1855, and have resided here ever since. I was here last winter, and attended the post mortem examination of Mr. R. P. Brown, when he was taken up from his grave for that purpose, in February or March last. His brother came here and requested that this examination should be made. When the body was taken up, I took particular pains to examine the wound. It was in the left temple, severing the temporal bone to the length of about two and a half inches. I judge that the wound was made with one blow of a hatchet or tomahawk, or some weapon of that kind. The temporal bone was opened sufficiently to admit my finger anywhere along it for two inches. I ran my fore-finger into the wound up to its second joint. I have no doubt it was a mortal wound. Dr. Few and Dr. Park, of this city, were also present at the examination. I am a physician, and have been a practising physician for about twenty-seven years.

JAMES DAVIS.

LEAVENWORTH CITY, K. T., *May* 16, 1856.

DR. J. G. PARK called and sworn.

I came to this city in May, 1855, and have resided here ever since. I attended a *post mortem* examination of Mr. R. P. Brown, when his body was taken up from his grave—I think in March, 1856. We discovered but one wound upon his person, except a slight flesh wound over the left eyebrow, though we did not examine particularly—only what appeared externally. We found a wound on the left temple, about a line from the outer end of the socket of the eye, and running towards the ear, and about an inch and a half or two inches long, so far as I can now recollect. I ran my finger through the squamous portion of the temporal bone, which is the thinnest part of the skull bone. The opening into the skull was sufficiently large to admit my fore-finger, which I ran into the brain. Fragments or pieces of bone were sticking on the inside into the brain, no doubt forced in by the

instrument with which the blow was inflicted. So far as the flesh was concerned, I should think the wound was made by a sharp-edged instrument, and the bone seemed to be broken in wider than it was cut. From the appearance of the wound and the appearance of the bone, it would seem to have been made by a hatchet, and the blow must have been struck from behind, or when the head was inclined downwards. The wound could have been made by a tomahawk or lath-hatchet. The wound was one that must have produced death, and the only wonder is that the person should have lived so long after he received it.

I have been a practising physician for ten years past. This examination was made some weeks after Brown's death. He was buried in the coldest weather we had. There was no decay in the body, except that we could rub up the outer cuticle of the skin with our fingers; but the body was in sufficient state of preservation to allow us to make a satisfactory examination.

J. G. PARK.

LEAVENWORTH CITY, K. T., *May 17, 1856.*

SAMUEL F FERR called and sworn.

I have been a practising physician for five, and a consulting physician at the Hot and Warm Springs, Virginia, for nearly three years. I now reside near Leavenworth city, and have been residing there since 1854. I was called upon to examine the body of Mr. R. P. Brown on a Sunday, on an intensely cold day. On account of the cold I rather declined going, but promised, if the parties would bring the body near by my cabin, I would examine it, in connexion with any other physician they would call. They tried to make the arrangement, but they failed to do so, and they took it to the graveyard and buried it. Some time after that I was introduced to a gentleman of the name of Brown, who asked me to accompany Drs. Park and Davis, of this town, to examine the body of his brother. I went up to the grave a little before they had exhumed the body. After they had taken it up, I think I examined the body first. There was no decomposition. The body had been frozen stiff, and was about thawing then. I examined only the head, where I found two wounds: one was a sharp cut, a mere flesh wound, that would have done no harm, over one of the eyebrows; another was upon the left temple. From what I had heard, I had expected to find only a depression or a fracture of the skull pressing upon the brain; but on opening the lips of the wound to examine it, I introduced my fore-finger, its full length, to the base of the brain; I also ran it in front and in rear of the brain, and up and down. I found lying upon the brain the soft portion of the temporal bone. I tried to pull it out with my finger, and could not do it; and then I introduced two fingers into the cavity at the same time. I did not get the bone out, because I could not manage my two fingers. I did not know Mr. Brown; I may have seen him.

This wound was caused by a sharp instrument. A hatchet could have caused such a wound, and was necessarily mortal.

SAMUEL F. FEE.

LEAVENWORTH CITY, K. T., *May 17, 1856.*

NICK SMITH called and sworn.

I reside in Leavenworth city. I am acquainted with Eli Moore; he is now a deputy marshal or deputy sheriff of this county, and I have seen him engaged in the public service of writs, processes, &c. I was in the office of Mr. D. J. Johnson, an attorney in this city, when Captain Dunn and Eli Moore were present. This, I think, was about a month ago, perhaps more or less. There were several other gentlemen present. The conversation turned upon the murder of Brown, last January. I observed that I had heard that Brown had been treated very brutally and outrageously by the members of the company who took him, and said that I had heard he had been kicked in the face by some member of the company. After expressing disapprobation and disgust myself, Captain Dunn remarked that he would give me a full history of the case, and then proceeded to do it; and before completing it, was called out. Mr. Moore said that he was there himself. The treatment of Brown was not denied by any one; but I think Captain Dunn disapproved of the murder, and stated that he had opposed it in council. Captain Dunn said Brown was killed with a hatchet, but did not say who had done it. Eli Moore did not say what part he took in it, though he said he was there; but did not say whether he approved it or not. I do not think Moore was deputy sheriff or marshal when this murder took place. I never conversed with any one but Captain Dunn, of those who witnessed it, about this murder.

NICK SMITH.

LEAVENWORTH, K. T., *May 16, 1856.*

EDWARD MOTTER called and sworn.

I came to this Territory in November, 1855, and was residing at Easton in January last. On the 15th of January, 1856, an election was to be held, but it was put off until the 17th, on which day a body of men came in armed with a number of Sharpe's rifles. I do not know the men, but I understood them to be free-State men going to the election, and 65 or 70 in number I think. The election went on, the men standing around with arms and voting. All were armed; I heard that some five or six had Sharpe's rifles, and saw one; others were armed with revolvers and bowie-knives in any quantity. About 10 o'clock a man named Brown came to Easton with eight or ten men, all armed to the teeth. During the day nothing occurred of any importance. About 6 o'clock in the evening Mr. Brown came down; I

went up to him and said, "Mr. Brown, I think it would be advisable for you to return with your men." He threw open his coat and said, "by God, you think I am not armed." I said, "that makes no difference to me," and left him for a few moments. About an hour afterwards I went over to the grocery and saw Brown reading a letter, and told him things were getting to a critical position, and he had better go home with his men. I did not then see anything more of him until about 9 o'clock that evening. He brought about twenty men down to the grocery, part of them armed and part not. I told Mr. Brown that his men could not come into the grocery, because they were getting drunk and there would be violence committed. Nine of them rushed into the grocery, and I kept eleven of them out. Brown was one of those who came in—the first one who went in. About 11 o'clock men were running both ways. Brown's party had gone back to Mr. Minard's house. They sent down a messenger to us, calling us cowardly, thieving, niggardly sons of bitches, and dared us to come up to Minard's house, and that if we did, there would not be one to tell the tale. That was just the expression Mr. Minard used, and they all said so. After that news came down I sent them a note as follows: that if they would hold on, probably we would call to see them upon any demand they had requested. I have that note at home yet. About 12 o'clock Mr. Sparks came down, and instead of going directly home he walked at least a quarter of a mile to come down where our men—the pro-slavery party—were. He knew that his most bitter enemies were there and intoxicated at the time. I was sitting in the office, in company with Mr. Samuel J. Kookogey, Samuel Burgess, and Dr. Kennedy, when he passed by. I heard some one outside exclaim, "there goes old man Sparks, with his rifle on his shoulder." Some ten or twelve of our boys ran after him, hallooing after him. Mr. Kookogey and myself immediately ran down to where Sparks had stopped, and got on the fence and made a speech, that they should let the old man go on home; that it would not do to commit any violence on him. Ten or twelve of the men were about leaving, when Sparks commenced cursing and swearing about something—I could not tell what. I went to him, and tried to persuade him to go on home, and he refused to go. Then Mr. Brown came down from Mr. Minard's house, with I think 25 or 30 men. He was at their head himself, and had a double-barreled gun, cocked. When he got to the head of the lane where we were, I was standing there in company with Mr. Kookogey. Brown came up to me and called me a God damned cowardly, thieving, niggardly son of a bitch, and told us to clear the lane, and took Mr. Sparks out; after he had got him out, he then commanded the pro-slavery men to march in front. Mr. Burgess told our men they should not do it; to go behind, as he thought Brown's intention was to fire on us. I myself went behind all of the folks there, for fear that they would fire upon us. We arrived at the forks of the road, where an Indian trail led off, and they had got between 80 and 90 yards ahead of us, when there was a pistol fired from Brown's party. Immediately after the first fire, firing commenced on both sides. One man named Richardson, on the pro-slavery side, was shot in the leg, the ball penetrating the anterior portion of the

leg, striking the tibular bone and glancing off, and lodged in the posterior portion of his leg. I came up while the firing was still going on. I stepped behind a stump, and as I did so, a man I took to be Mr. Sparks fired at me both barrels of a double-barreled gun, loaded as I thought with buck-shot, from the way they rattled against the fence. While I remained behind the stump there were four rifles shot into the stump, of course by some of Mr. Brown's men. After the firing ceased I went to my office. A man came over and told me that Mr. John Cook was shot; I went over to see him, and rendered services as a surgeon. He was shot, the ball entering the groin, and passing out in the upper portion of the hip-bone. I probed the wound, and found it had cut the posterior portion of the colon; striking the spine, and passing up and cutting off the posterior portion of the right kidney. I remained with him until, through fear, I left the place about 3 o'clock that night, and did not come back until the next day between 12 and 1 o'clock.

Believing that our place was in danger, I sent an express to Kickapoo. Mr. Kookogey sent an express to Messrs. Johnson & Lyle, of this city. Companies came down from Kickapoo and Leavenworth the next day (Friday) between twelve and one o'clock, at the time I did. Mr. Brown and his company were taken on the road, somewhere between Leavenworth and Easton. We examined Mr. Brown. I asked him who was at the head of the free-soil party the night previous. He said he was. I asked him who fired the first shot. He said some one from his company, but he did not know who it was. Then I asked him if he had not done wrong. He said he had. I then left the room. Captain Martin was present and heard all this. I went down to see Mr. Cook and attend to his wounds, as I had not seen him since the night before. I came back there, and Mr. Brown was still in the room where I had left him. There were many there intoxicated on both sides. I did not see Mr. Brown killed. I was in Mr. Dawson's store at the time he was wounded, and do not know who inflicted the wound. I ascertained that they had put Brown in a wagon and brought him somewhere near Leavenworth city, but I do not know to what place. I remained with Mr. Cook until Saturday evening at eight o'clock, when I received information that a party of free-soilers had threatened to mob me that night; for what cause I do not know. I again left the place, and Mr. Cook was dead when I returned the next evening. This is all I can recollect of what took place, and I give it without prejudice or favor towards any one.

I came from Baltimore city, Maryland, to this place.

Cross-examined by Mr. Howard:

I lived at this time in Easton, my office adjoining Mr. Dawson's store. I do not know who told me there were five or six Sharpe's rifles in the free-soil party. I think there were about sixty or seventy of the free-soil party at that election. I do not think there were over fifteen or twenty of the pro-slavery party at Mr. Dawson's store that night after the election. Mr. Dawson's is just the length of a quarter section of land from Mr. Minard's house, which stands about the middle of his claim, and Mr. Dawson's about the same on his claim. The

houses are in sight. Of those fifteen or twenty men who were at Dawson's I know but four or five: Mr. Burgess, Mr. Kennedy, Mr. Kookogey, Mr. Cook, Mr. Woodward, and myself. Mr. Cook lived about four or five miles from them, and got there about half an hour before he was shot. This fighting took place between twelve and one o'clock at night. Mr. Cook had been there during the day, and left in the evening about eight o'clock, and then returned. I think the fight continued about ten or fifteen minutes. Along the first the firing was in volleys. The moon was shining that night. I cannot say whether they tried to hit each other. One ball passed along my foot, cutting my boot. Mr. Richardson lived about two and a half miles above Easton. Sparks lived about south from Mr. Minard's house. There is no north and south road there. The Fort Riley road runs along by Minard's and Dawson's houses. I think by going across the prairie, Sparks could have saved at least a quarter of a mile distance, and he did go home that way after the fight. Sparks was about half way between the creek and the head of the lane when I was talking to him. After that I went up to where Mr. Brown was, and he called me a thieving, niggardly, cowardly son of a bitch, and ordered us to clear the lane, and of course we backed out. The lane was, I think, about one hundred and fifty yards long. Sparks was standing at the fence when I talked with him; he had his gun with him. I did not hear him threaten to fire on any one. Those from Dawson's store were standing around Sparks as if surrounding him. John Sparks, his son, was with him. I saw two or three guns among those who were surrounding him, but I do not know as all were armed. Among them were Mr. Burgess, Mr. Kennedy, Mr. Kookogey, Mr. Cook, Mr. Woodward, and myself. There were about ten others, but I do not recollect them. I was standing at the head of the lane, on the way back to my office, when Brown got there with his party. Brown spoke first, and spoke to me, and called me a cowardly, thieving, niggardly son of a bitch, and ordered us to leave the lane. The pro-slavery men then left, as Brown's party was twenty-five or thirty to our twelve or fifteen. Brown then went down the lane with his party and got Sparks and his son, every man having his gun ready to fire, and went from the head of the lane towards Minard's before the firing commenced. Our men went on up towards Dawson's store. The first shot was then fired from Brown's party towards our party, about ninety yards off. One road from the lane led to Minard's and the other led to the store. Brown's party took one road and ours took the other. The parties kept up the two roads until they got to be about ninety yards apart. I learned that Cook was shot shortly after the firing ceased. I took him to my room at Mr. Dawson's house and put him on my bed, where he remained until he died. I cannot say how many men came down from Kickapoo and Leavenworth the next day, but I should think there were fifty or more. I was not present when Brown's party were released. Mr. Dawson's house is about two hundred yards from his store, and I was down there attending to Mr. Cook. The lane I have spoken of is back of the house and south of the store. Some of our men said one thing and some another about what they were going to do with Brown. I do not remember of hearing Captain Martin try to persuade his men not to kill Brown.

I know Mr. Gibson, and saw him there that day. I judge he was armed. I did not see him with any arms until after Brown's party were taken. I was in the room where they were, and asked Brown some questions. I asked Brown if he was the leader of the party the night before. He said he was. I asked him if he had not been doing wrong. He said he had. I judge he meant that he was violating the laws of the Territory by supporting a legislature not recognised by the governor, and in supporting an election which was illegal. I do not know what else he meant. He must have had reference to the firing, also, upon our men. He was not a citizen of Easton. I cannot say what he referred to, but I thought that must have been what he referred to. I did not specify what I meant when I asked him if he had been doing wrong. I heard others specify to him what they meant. I think Dr. Harris talked with him about the election. Captain Martin was also in the room, and asked Brown the same questions I did. Mr. Rively was in the room. I never heard Mr. Gibson say anything about who wounded Brown. McNish lives in Easton, and was there. I did not see Brown after he was wounded. I was in the store at the time and did not go out at all. I heard some noise and hallooing outside, but not much, as the most of the men had gone off. Brown was out of the store at the time. I do not know whether he had been taken out of the room where he was, or had gone out himself. He had been in a room adjoining the store, and I think was taken in there for protection. Brown was in that room when he told me that one of his men fired the first shot. There were some seven or eight men in there. I do not recollect all of them. I was in there about a quarter of an hour. Brown's men were not there, but I think were about town somewhere, but I do not know where. Mr. Cook stated, after he was shot, that he thought some man in or about the grocery had shot him, but we examined that man's revolver and it was all loaded. Mr. Cook was in front of the grocery when he was shot, not up where the fighting was.

By Mr. Oliver :

I heard Mr. Brown say to men who asked him, that he came out there to vote, and I know he did vote. They said they brought their arms to protect the election. I did not hear any of Brown's party say that day that there were no laws in the Territory. All the difficulties that happened that day grew out of that election. I think if Mr. Sparks had not come down by the grocery, there would have been no difficulty. I think there were about fifteen of the pro-slavery party at the grocery, and about sixty or seventy free-soil men at Mr. Minard's house. I don't recollect of hearing Mr. Brown say at any time that he had come to this Territory to make this a free State.

By Mr. Howard :

Some drunken men of the pro-slavery party did say something about going to take the ballot-box, and they were so drunk I don't think they could have carried the box if it weighed six pounds.

By Mr. Oliver :

I heard no sober man of our party saying anything about taking

the ballot-box until they had dared us to come up and there had been considerable swearing.

By Mr. Howard :

After the excitement began to grow pretty high, liquor might have had some effect, but I think it commenced from the effects of the election and men coming there to vote with arms.

The ball which hit Mr. Cook was probably about a quarter or a half ounce, I should think, though I did not see it. I should think it was a rifle-ball, that run about seventy or eighty to the pound.

E. S. MOTTER, *M. D.*

LEAVENWORTH, K. T., *May 16, 1856.*

STEPHEN SPARKS called and sworn.

I came to the Territory in October, 1854, from Platte county, Missouri, where I had been living since 1845. An election was called to be held on Tuesday, the 15th of January, A. D. 1856, at Easton; and upon learning a rumor that prevailed through the neighborhood that Kickapoo Rangers were collecting in force to prevent the election, it was postponed until the Thursday following, the 17th. On the evening before that day I went up to Easton. The polls were opened about noon; everything was quiet then; but we saw a company at Janesville, half a mile or a mile from us, passing on horses once in a while on a bluff there, and several persons came in and complained of being insulted by them, and were stopped by them.

Among others my son, Moses Sparks, was halted, also Mr. Pennock, and some two or three with them were stopped, and their guns taken out of their sleds or wagons. From a bluff near the polls we could see the party. It passed on so until a little before sundown. They came over into Easton across the creek, and stopped at a grocery near Dawson's. About dusk, between thirty-five and forty-five men, as near as I could guess, came up towards Minard's, where the election was held. I heard some one of the crowd, who appeared to be the leader, say, "Charge on them, God-damn them, I aint afraid!" About this time our men had nearly formed themselves from the door to the road. Upon seeing our force they halted, and returned without further difficulty. Some time after a note was sent to the house where we were, from them. The note was directed to me and Mr. Minard, and had no name to it. After looking at it, we concluded to give no answer until some one would put his name to it. Another note was sent by a messenger with Dr. Motter's name signed to it. Mr. McAlear then came up, and Kookokey with him, to reason with us, and said it would be better for us to give up the ballot-box, or it would turn out worse. We concluded there would be no difficulty. This was late at night, and I proposed that I would go home, and started home with my son and nephew. My road was through Easton. Snow was on the ground, and that was the only broken way to my house, and it is the road I always go. When getting near Dawson's

store, I saw several men, and heard several say, "God damn him, there he is," and called old man Sparks, and said they had got me now. There was a great deal of talk, and the men had been drinking. I walked on and came near the store-door; several men threatened me very heavy, and demanded that I should surrender. They were then all round me, some in front and some behind, and on each side. I kept on until where the road turned off between the store and the grocery. They demanded that I should go in and drink with them, but I refused. My son wanted me to surrender, but I spoke to him low, and told him to keep near me and close by my side. We then turned south from Easton towards home. The company then fell back and gathered as if in consultation, so that I got several rods ahead of them. They then burst loose with a good many threats and cursings, and followed me. I kept on at my usual pace, and kept the boys close by me. They again stopped to consult, and then the crowd came on and made a heavy charge on me, and their common expressions was, God-damn him, shoot him! kill him! damned abolitionist! There were then two guns fired. Upon this I turned and levelled my gun, but my son dissuaded me and I did not fire, but started on again, and was then near Dawson's house. I turned into the lane leading to his house, and part of the crowd formed a line across the lane, so that I could get neither way, and were making———
My son and nephew, at my suggestion, got into a corner of the fence—a rail fence, staked and ridered. We were there at bay, and were prepared to make the best defence we could. I reasoned with them, and said there were plenty of my old neighbors in Platte county with them; that I knew I would not surrender to a drunken mob. Benjamin Foster then fetched his fist in my shoulder, and said, God-damn you, I could or would smash you. I then told him to stand back, and told him if he laid his hands again on me he would regret it. They demanded our general surrender, and that we should go back to the grocery. They had guns, pistols, &c., and presented them at me, and told me to march or they would shoot me. I told them to shoot. No gun was fired there. I said they must shoot me, as I would not give up to a drunken mob. David Large then took hold of my son's gun and demanded that he should give it up. He refused, and in their struggling I presented mine, and told him to let go. He did so. They then, with threats, hallooed several times; and we remained in that position some fifteen minutes, until R. P. Brown came and rescued me.

At the time they fired, as I spoke of, the man who was riding my horse went back to Minard's and gave the word. I had no idea of this. The first I saw of Brown he was near by, and his party afoot, stretched across the road, and inquired if I was there. I answered that I was. He told me to march to him. I started and was about half way when Sam. Burgess caught hold of my shoulder. I told him to let me go, and prepared for defence, and he did let me go. He marched forward around me, and my son and nephew also came into the ring. Brown told his men to march back, and all did so, friend and foe going together in a crowd, I being in the centre. Then we went to the forks of the road; there the other party took the straight-

forward road, and we, with Brown's party, turned to the left. About forty or fifty yards, Brown urged me to walk in, as they were going to shoot. This he told me three times distinctly. The last time, I told him I would obey him. He was marching backwards looking towards the other crowd, conversing with them not to fire, and told them that if they did, he would return the fire. When we were about sixty or eighty yards off, the fire was opened upon us. The first fire was from the northwest of their crowd. I am sure they fired first, as I saw the fire distinctly. Then Brown ordered a fire in return, and both parties fired, and a great many guns were fired. The men were scattered in Indian file, and the fire was kept up for some time. My son was wounded and knocked down, within six or eight feet of me, at the second fire, but he raised again and fired. He was wounded in the arm and head slightly. We finally marched back to Minard's. I staid there all night, and started home before breakfast. About 3 o'clock in the afternoon I heard of Brown's capture, and that Minard was also taken, and that they were to be hung. I never saw Brown afterwards.

Cross-examined by D. A. N. Grover :

There was a rumor that the Kickapoo Rangers were mustering on Sunday, in Kickapoo, for the purpose of taking the ballot-box at Easton. I heard this in my neighborhood before Tuesday; I think I heard it on Sunday or Monday. The election was put off from the 15th to the 17th, on account of this rumor. There was an election held by the free-State party at Easton on the 17th of January, 1856. The purpose of the election was to elect State officers under the State organization. I can't say, for my life, whether the *organization* was either a free-State or slave-State organization, but, as I understood, and organization of the people of Kansas. Robinson and Roberts were the candidates for governor; Miles Moore was a candidate for attorney general; I was a candidate for the legislature, and was declared elected to the lower branch, and was at Topeka, and served as such. Over fifty votes were cast at Easton that day. I belong to the free-State party, but am no abolitionist either.

I can't say whether the men at Minard's house were armed. There were arms at the house. I did not see men come there with arms, as far as I now recollect. I did not go to the polls that morning, and I did not go there that day. I went the evening before, but I did not take my gun with me. I had two sons there with me, and I did not see either of my sons or my nephew taking any arms there with them. I saw my sons and nephew have guns the night of the election. I think Brown's company had guns—all, I think, who came for me. There was a rumor that the Kickapoo Rangers had taken the ballot-box at Leavenworth city, and were coming to Easton to get the ballot-box there. How true the rumor was I do not know. While I was at Minard's I saw a company of men across on the bluffs, on the other side of the creek, riding back and forth, during the day. I only know from hearsay whether these men were armed or not. I should think it was three-quarters of a mile from Minard's to where these men were. I do not know who these men were, except from hearsay, where they

were from, or where they were going. I do not think I went from the polls, during the day, alone down to Dawson's store. I went to Bristow's store, but I did not go alone. That was in the evening. I had no difficulty with the pro-slavery men at that time near the store, not a word, as far as I recollect. There was some whiskey at Minard's. It was, I think, about sundown that I went down to Bristow's. I had not a word of difficulty with any individual that I now recollect. I was there but a very short time when I saw a crowd coming up; I walked up to keep out of difficulty. I had no difficulty with John Moore. I did not see him, to my knowledge, until I started for home that night, and he pitched around me and said, Damn you, I have got you now. There has been a private difficulty between us, and my opinion was that he sought that difficulty. There had been unpleasant feelings between us for some time. Dr. Motter came to me in Dawson's there, when more than twenty-five or thirty men were standing around me making threats, and said to the company, "as Mr. Sparks is on his way home and has got thus far, let him go." He requested that of the company, and then went round between me and home, and the last I saw of him was standing there in the lane. I do not know as any messages were sent by the men at Minard's down to the men at Dawson's to provoke them. I heard nothing of any challenge being sent down to the pro-slavery men to come up and fight. I sent none myself, and I never heard of any, though there might have been. A man by the name of Woodward came up to Minard's with one of the notes, and I saw the same man around me in the lane. Shep. Woodward was not sent back to the store to tell the boys to come on, as I recollect. My answer was, I think, that if they got the ballot-box they would get it at all hazards, as they said they would have it. I had but little to do with the notes, but handed them over to Mr. Minard: the second one; I never handed any more. I may have had a conversation with Shep. Woodward, but I did not know it. I felt a little fired when I was noted out as an individual, and the threats were made that they would have the ballot-box, and I may have said something harsh, but I do not now recollect. I saw a crowd come up towards Minard's house, and I heard one of them call out to charge; he was not afraid; but he did not charge. Our company were drawn out from the door, pretty much towards the road, and I think some had arms and some had not, but whether the most of them had arms or not I cannot say. I do not know as any one commanded our company at that time. I could have gone from Mr. Minard's house on a bee-line home, which would have been nearer home than the way I went, but it would have been over rocks and drifts. I went the road I usually go—and go yet. I saw one young man who was drunk on that day, and there were several who went down to Dawson's for drink; and there was some whiskey at Minard's. Mr. R. P. Brown wanted me to go down with him once and get some liquor; but I did not go, and cannot say whether he went or not, but I think he did. I do not know that Brown got into any difficulty there that day, but I heard of such a thing, I think, a day or two afterwards. I have no recollection of Brown coming back and making hard assertions against those down there; I think some one did, but I do not recollect who it

was. I saw John Moore and his brother in the crowd that surrounded me in the lane. There was one man laid his hand on my shoulder and said he would or could thrash me, and a great many harsh threats were made against me. I do not know how many men staid at Minard's that night. I remained there that night until 12 o'clock, in consequence of the threats made against the ballot-box. I did request a large number to stay, when reports were brought to me of what was said down town. After staying there a while I concluded that I would go home, as I thought the mob had gone away or would go away, and there would be no difficulty.

STEPHEN SPARKS.

LEAVENWORTH CITY, K. T., *May 22, 1856.*

JOHN WILFLEY called and sworn.

To Mr. Scott :

I was at the free-State election, at Easton, on the 17th of January, 1856. The election was held at Mr. Minard's house. I was at Minard's house, and saw voters coming in armed with guns, and they generally came in armed. They remained at that house all day. Every man (so far as I saw them) voting was armed. No pro-slavery men voted, so far as I saw. I should think there were about sixty-five free-State men there. There were pro-slavery men in town that day ; some fifteen of them while I was there, which was until dark. The pro-slavery men were not armed that I saw, and they interfered in no way, so far as I saw. Mr. Brown, in the afternoon, went down into town some half a mile from the place where the election was held, and publicly declared he had an organized company with him of armed men, and made threats that he would shoot holes through any man faster than he could count, if any man dared to touch him, and declared that he would get on his hands and knees and crawl through the snow, as bad as it was, a mile, to get pro-slavery men to fight him and his men. He also stated that his company had sixty-eight shot ready to fire. That was about all the threats I heard Brown make. There was no fuss in town until after these threats were made. No man had made any threats to him before that, and no one said anything to his threats. There was no difficulty or quarrelling up to the time I left, which was about dark. I understood afterwards that a man by the name of Cook was shot that night, and Brown killed the next day.

Cross-examined by Mr. Howard :

I did not vote that day, because I did not want to vote ; I staid there merely to see the people, and see what was done. I was down in town when Brown came down and made those threats. Brown had two men with him whom I did not know, and stood in front of Dawson's store when he said this. There were some fifteen men at the store—Dr. Motter, Mr. Kookogey, the two Messrs. Rose, Mr. Price, and others I do not now recollect. This was, I should think, about, or a

little before, sundown. I think they had liquor to sell at Dawson's store. I do not know whether the men with Brown came down with him, but they went away with him. Brown said he and his company had sixty-eight shots ready. I supposed his company were up to Mr. Minard's. I do not know who came with Brown to the election. He said he had sixteen shot himself, and he showed them. Nobody spoke a word to him, but he did all the talking. I do not think Brown was drunk then.

To Mr. Scott :

These twelve or fifteen men at the store where Brown made these threats, I do not know whether they were all pro-slavery men or not ; I think they were mostly, though one or two that I knew were not. I do not know whether any of those twelve or fifteen men, except myself, had been up to the place of voting or not ; I do not recollect of having seen any of them up there. No difficulty had occurred at the place of voting before I left for home, and I do not think any pro-slavery men were there when I left. When I left the place of voting the free-State party were putting out armed guards. I had stopped there a time, after Brown made his threats, while I was on my way home.

JOHN WILPLEY.

LEAVENWORTH CITY, K. T., *May* 29, 1856.

S. J. KOOKOGY called and sworn.

To Mr. Scott :

I was clerking for Dawson, at Easton, at the time the free-State party had an election at Minard's, the 17th of January, 1856. The election was said to have been appointed for the 15th, and was postponed till the 17th, but I do not know for what reason. I saw a number of men there that day that I never saw before or since. All the men who came there to vote were armed. I do not know of any pro-slavery men who came to that election ; and at night, when I went up to Minard's with his wife, who was down town, I saw some seventy or eighty men in the room there ; it was about ten o'clock at night. I was quite well acquainted with nearly all the persons in that neighborhood, as they traded where I was clerking. I saw but three men in the room that I recognised ; the rest appeared to be strangers to me. I recognised James Comstock, a Mr. Davis, and old Mr. Sparks. There might have been others I knew, but I did not notice them. I was not challenged by sentinels when I went up to the house, though I saw some about a hundred yards from the house. After I came back to the store, I went up again to see Mr. Minard, as I had just received notice from General Whitfield that Dawson had been appointed postmaster at Easton. Mr. McLear went up with me, and went into the house, while I stopped outside and talked with Mr. Minard, who had just come out about the post office. We walked back to the door, and old man Sparks rushed out very much excited,

and said "Here is this damned McLear up here; Minard, let's kill him," or hang him, I forget which. Minard went into the house, and at the same time Sparks recognised me, and asked what I was doing up there. I told him I thought I had a right to go anywhere I chose. He asked me if I did not know these were very ticklish times. I told him I did not know of any difficulty anywhere. He took me one side and endeavored to get me into a political discussion, detaining me some ten or fifteen minutes longer than I wanted to stay. I told him we were so far apart on the slavery question, there was no use in our talking about it. I then went back to the store, leaving McLear at the house. I met Mr. Samuel Burgess at the store, and told him that McLear was at Minard's, and he had better go up and see about it. We had some talk as to what we should do about McLear, and while we were talking McLear came down, saying that he had been released. Everything appeared then to be quieting down. The first time I saw Mr. Brown in my life was that day, before the store, about sundown. He had two men with him, and said that they had come there to have an election, and to vote, and would not be molested, as they were armed for resistance. He remarked that he was prepared, and said if we did not believe it he would show us, and then he threw open his coat, and I saw one or two pistols on him. No one had spoken to him then. That is all the remark I heard him make, as I was called off in the store. At night, after McLear and myself had been at Minard's and returned to the store, Brown marched down with ten or twelve armed men, and the party threw the muzzles of their guns down, and he said "We act upon the defensive." We told him to come on, and he should not be molested. All the men in the grocery then came out, and Brown's party went into the grocery. He called for something to drink all round, and got a jug of liquor and a fiddle. They then came out of the grocery, and Brown commenced a conversation with Dr. Motters and myself. He said he had seen one ballot-box taken, and he would be God-damned if he would see another taken unless they went over his dead body. We told him we had no such idea; and that even if we had had, it was then too late. Brown and his men then left, and went off leisurely towards Minard's. In an hour or so after that, while I was nearly asleep, old man Sparks came along in front of Dr. Motter's office, leading his horse, with a crowd of men about him, and turned around the store towards Dawson's house, two or three men walking along talking to him, one of whom he was not on good terms with; the main crowd was walking along behind. He turned into a lane near Dawson's house, and when he had got down the lane about fifteen steps he stopped, but whether of his own accord, or because the men made him stop, I do not know. I was sitting about ten steps from Sparks, and heard some talking to him, condemning his course. While they were talking to him, I heard some noise behind me, and looked around and saw Mr. Brown and a party coming along. Some of his men seemed disposed not to come, and he was saying to them, "God damn you, come along." When he got to the entrance of the lane, they levelled their guns, and Brown said, "You God damned lousy, pro-slavery sons of bitches, we demand old man Sparks." We

then turned and walked up to his party. He told us to march on before his party, and we refused. We then came along together towards Dawson's store. When we got about a hundred and fifty yards from the lane, there was a road that turned off to Minard's from the one that led to Dawson's store; we separated; the free-State party, who had old man Sparks in the middle of their crowd, turned off towards Minard's, while we kept on to the store. Dr. Metter and myself were some five or six steps from our main party, and were talking. After they turned off, and had got some ten or fifteen steps, some one in the free-State party fired a pistol, which I considered was rather in exultation of their having got old man Sparks, and not intended to be fired at our party. There was then a general firing on both sides, and then the free-State party broke and ran, some behind some houses, and some behind the bank of a creek there. The principal portion of our party got behind Dawson's store. Several of our party had no guns at all, while the others had double-barrelled guns and rifles; but I do not think more than fifteen or eighteen of our party had arms. The firing, I think, lasted some minute or a minute and a half, not longer. I saw a man fall in front of the grocery, and I heard some one cry out, "Cook is shot." Mr. Comstock and myself, I think, were the only men behind Dawson's store then, while the rest of our men ran over to the grocery, some thirty yards from the store, where Cook was shot. We then came out from behind the store, and as we stepped out some man on the free-State side fired at us twice, striking the fence near us, and then they ran away from behind the house where they were. I then went into the store and got some blankets, and took Mr. Cook down to Dawson's house. When I came back, everything was still and quiet, and I saw no men of either side. I heard that the free-State men were going to stay that night at Minard's. I went to bed. The next morning I saw Mr. Brown and his party—some six or seven of them—start for Leavenworth. I think that, if it had not been for Mr. Sparks and Mr. Brown, there would have been no difficulty at all.

Cross-examined by Mr. Howard:

When I went up to Minard's with McLear, it was about eleven o'clock at night.

S. J. KOOKOGEY.

LEAVENWORTH CITY, K. T., *May* 29, 1856.

ESSENETH SPARKS called and sworn.

My husband's name is Stephen Sparks. We live on the other side of Stranger creek, about twelve miles from this place, and four miles south of Easton. My husband and son were arrested, as they told me, on the night of the 17th of January last, by the Missourians and Kickapoo Rangers, and they were rescued by R. P. Brown, and others. I know that they came home from some conflict by their wounds. My son was grazed by shots on his head and arm.

In the evening of the next day, about 3 o'clock, a party of from 10 to 18, a right smart company of men, came to our house and inquired for Mr. Sparks, my husband. At the time they were coming, Francis Browning was at the house. He had just rode up, and asked two men who were going along the road to help him rescue Brown. One of them said he could not go. The other said he did not know how soon it might be his case, and took the harness off his horse, and one of the guns which the man had, and rode off with him. This man was Francis Browning; the name of the other who went with him was Richard Houcks.

Just as they started, two men rode up and called for Mr. Sparks. I told them he was out on business. They said they had private business with him.

Just then, Mr. Browning seeing a party of horsemen on a little rise, coming from Dawson's, turned back and asked these two men what it meant. They said "they did not know; there was a great excitement at Dawson's, they had heard, but they had not been there." They then gave the sign by firing two pistols in the air, and motioning to the party with their hands. The party then came riding on as fast as they could, shouting. When they came up, they all joined in pursuit of Browning and Houcks, shouting "kill them," "kill them," "kill the damned abolitionists," and firing upon them; but they divided, one going one way, round the hill, and the other the other way, and escaped.

The party of horsemen then returned and stopped before the door, and held council for a few moments, and one man said, "Capt. Dunn, give orders;" and the man he spoke to gave orders. He said, "Now we will take the house; shoot down Capt. Sparks at sight."

I then told them I had an afflicted son, and that anything that excited him threw him into spasms right at once; and that Mr. Sparks, and all but him, were away from home. When I stepped to the door and looked in, I saw Captain Dunn, with a six-shooter presented at my son's breast. I did not hear the question asked, but I heard my son's answer—"I am on the Lord's side, and if you want to kill me, kill me; I am not afraid to die." Dunn then left him and turned to my little son, about twelve years old, and put the pistol to his breast, and asked him where his father's Sharpe's rifle was, and my son told him he had none. Dunn asked him where those guns were, pointing to the racks, and told him if he did not tell the truth he would kill him, and my son told him the men-folks generally took care of the guns.

When they came out, I asked Captain Dunn, "What does all this mean?" He answered that they had "taken the law into their own hands, and they intended to use it."

McAleer, who formerly lived here in Leavenworth, was one of the party, and one of the Scotts, from Missouri, and some said there were two of them there. One John Dunn, a brother of the captain, was there. I heard the name of Dunn from others, but the Scotts and McAleer I know myself. The Scotts were raised within a mile or so of where we lived, in Platte county, Missouri. The party then left.

Late in February, eight men came to the house. Two men came

up first, and the others followed to the house on foot, in the afternoon, and asked for Mr. Sparks, and left the following paper with me :

To Stephen Sparks :

"The undersigned, as you are aware, are citizens of this neighborhood. Many of us have come here with our families, intending to make Kansas our permanent home. It is our interest and desire that peace and good-will prevail among us ; and whatever may conduce to this desirable end, will meet our hearty approval.

"The local excitements that have occurred in this vicinity have been principally attributed to you, and, we believe, justly. You have figured in them conspicuously, and in the affair at Easton more reprehensible than ever.

"Believing, therefore, that your further residence among us is incompatible with the peace and welfare of this community, we advise you to leave as soon as you can conveniently do so.

"Joseph Thomas
Abner Foster
Renben Sutton
Lark Farrell
Geo. W. Browning
Wm. McLain
Carom Norvell
Augustine White
Matthew A. Register
John M. White
Thomas Hickman
Benjamin Foster
Joseph Moore
Joseph Moran
Andrew J. Scott
Samuel Burgess
John C. Scott
John Burgess
Joseph L. McAleer

John Moore
H. E. Kennedy
George W. Brown
William Gill
James Foster
Simon B. Pankake
C. H. Allen
R. P. Briggs
W. Z. Thompson
O. S. Allen
Morgan Wright
Edward McClain
C. C. Harrison
Wesley Davidson
Edward M. Kennedy
Andrew J. Davis
John W. Burgess
James Norvell
Joseph Grey."

Only one of the signers is an actual resident in the neighborhood. Most of them are Kickapoo Rangers and Missourians. One of the two who first came to the door said his name was Kennedy, from Alabama ; the other, I think, emigrated from Missouri to Kansas. I asked him what he had against Mr. Sparks. He said he had nothing against him, but he was too influential in his party, and they intended to break it down. He told me to tell Mr. Sparks to leave by the 10th of March, or abide the consequences.

A night or two before the 10th of March, four men came into the house about 10 o'clock, and searched for Mr. Sparks, but did not find him. They asked for the "notice to leave," and if I had given it to Mr. Sparks, and made many threats, and charged us to leave at that time, and said that if he was there they would cut him in pieces.

ESSENETH ^{her} + SPARKS.
_{mark.}

LEAVENWORTH CITY, K. T., *May 24*, 1856.

BENJAMIN H. BROOK testifies :

To Mr. Sherman :

I was taken into custody at the first term of the district court, in Doniphan county, in spring of 1856. I was summoned as a juror to attend the first term of the court; I did not understand which, the grand or petit jury. I fell on the —— of the petit jury. The first two days of the term, I was unwell and could not attend. On Friday, the fifth day of the term, while I was in attendance upon the court, I was arrested on a bill of indictment for sitting as a judge of the election at which Reeder was said to have been elected to Congress. They brought me before the court and arraigned me before the bar for trial, as I understood it. The indictment was quashed. The judge ordered the clerk to quash the indictment and hold me in custody. I got my attorney to get me out on bail to go home that night, that I might appear next morning. I gave bail to appear next morning. The next morning I appeared, and my attorney got it laid over until the next term in August, and I was let off until the next term, on the same bail I had given before. This was for acting as judge of the election on the 9th of October, 1855.

B. H. BROOK.

LEAVENWORTH CITY, *May 23, 1856.*

BENJAMIN HARDING testifies :

I acted as judge of the election upon the adoption of the State constitution, held on the 15th December, 1855. I think I was not arrested, indicted, or imprisoned for that; but I was arrested and imprisoned upon the charge of serving as judge of an election on the 9th of October, 1855; but I did not serve on that day. The indictment was found by the grand jury which sat at Whitehead; Judge Lecompte, I have understood, presiding. I was indicted, and some months afterwards arrested. I was confined because I declined to give bail, and was kept in custody for eight days, and then I gave bail and was discharged from custody. The indictment is still pending. An attachment was also served upon me at the same time, which I understood to be for contempt of court in failing to appear when summoned as a juror. Bail was also required for my appearance on that charge; at the same time I gave bail on the other charge. The amount of the bail for the attachment was \$200, and for the indictment \$500.

[The question was overruled, Major Oliver dissenting.]

Question. Why did you fail to serve as a juror?

[The question was overruled, Major Oliver dissenting.]

Question. Why did you refuse to give bail under the indictment and under the attachment?

[The question was overruled, Major Oliver dissenting.]

B. HARDING.

LEAVENWORTH CITY, K. T., *May 24, 1856.*

E. R. ZIMMERMAN testifies .

Shortly before the election, last fall, for delegate to Congress, about a week before the election of the first of October, I took some handbills with reference to a meeting to be held at Kickapoo, of all persons who would attend, in relation to a free-State convention, and also handbills in reference to the free-State election of the 9th of October, 1855. I then went to Atchison, sticking up and distributing these notices on the way. I stopped at the hotel at Atchison, and gave some of these handbills to the landlord, and asked him to put them up in some public place. There was a man who said he lived in Missouri and owned a lot of niggers there, who was called General, I think, who came up to me and snatched the bills out of my hands. He then read the notice about the State constitutional convention to the crowd, putting in and leaving out words to make it read ridiculous. There was a big fat fellow there, I believe they called Thomason, walked up towards me and said I was a damned abolitionist. I stood up against the wall, as I was standing in the passage, and put my hand under my coat-tail as if to get a pistol, though I was unarmed; I was asked if I had read the Squatter Sovereign, and I said I did sometimes; I was asked if I did not know that they allowed no such documents put up there, and that I was guilty of high treason, &c.; and there was some talk of having me tried before some justice of the peace there. They took the bills before my face and lighted their cigars with them, and burned them, and took off others; I stepped out, and as it was after dark, I asked the landlord for a room. He said he could not give me a room then, but showed me into one about an hour afterwards. I heard the crowd talking outside. Bob Kelly, one of the editors of the Squatter Sovereign, and this fat man, were in the crowd. This Bob Kelly suggested that it would be a good plan to hang me, and set an example to all abolitionists coming to Atchison. Another suggested that I had better not be killed, but that it would be better to tie my pony on one side of a raft, and myself on the other side, and be sent down the Missouri river. And then one suggested that perhaps they had better keep me there until the day of speaking came off, and not let any of the handbills be circulated, and have some fun with Lane and others who were to come there to address them. That was about the substance of the conversation. I was at the window listening to this, but I went to bed again then. The next morning a number came to me and asked me where I was going. Among them was a doctor from Platte city, who said he knew me at Kickapoo. He asked what all this meant. I told him what the object of the State convention was. After the conversation he spoke to these men, and as I had no more bills I promised not to go to Doniphan, as I had intended, but to go across the river and return home that way. There were some fifteen there, and they appeared to be considerably excited. They advised me when I left never to call there again with abolition documents, if I knew what was good for me; that I would find that latitude very unhealthy for abolitionists, who were short-lived; that these handbills were treasonable

and opposed to the laws. I crossed over into Missouri, and went home that way. The night before, as I have forgotten to mention, they said they were determined I should not go to Doniphan.

[Mr. Whitfield objected to this evidence being received, on the ground that it was a mere personal difficulty. The majority of the committee overruled the objection, and admitted the evidence; from which Mr. Oliver dissents.]

I had never seen any of those men before that time, and never have seen them since.

To Mr. Oliver :

The conversation I heard at Atchison after I went to bed seemed to relate to the bills I had brought with me, and they seemed determined to have no free-State men speaking there.

To Mr. Reeder :

I had handbills for calling a meeting to be held at Atchison, announcing speakers and their names on it, the meeting to relate to the propriety of a State constitutional convention at Topeka, and stating that so many delegates were to be elected from Atchison; and it was an invitation to all electors to attend, and I think headed, "*A call to the people of Kansas.*" Other handbills I had were for giving notice of an election to be held for delegate to Congress, and was a general notice to all parties; not a word was said about the laws of the Territorial legislature that I can recollect, in the handbills in reference to the convention at Topeka.

To Mr. Whitfield:

I was not at a meeting where these notices of the convention were agreed to be sent out. I happened to be down at Leavenworth city, and I was asked, as it was on my way, to take some of these bills along and distribute them.

I think Mr. Robert Riddle handed me some of them. The convention for the State constitution was proposed to be held at Topeka. I had understood that pro-slavery men, as well as free-State men, were to take part in it. I know pro-slavery men who voted for the State constitution. I did not understand that the persons who called the convention were opposed to the laws of the Territory; nor did I ever know of any such understanding among those in favor of the convention. I heard free-State and pro-slavery men talk about the matter, and they said they were heartily tired of the excitement here, and they thought the best way was to have a State organization, with the officers elected by the people. I was never at a meeting where it was resolved to repudiate the laws of the Territory. I was at a meeting at Leavenworth city. Mr. Parrott was called upon to state the object of the meeting, and he stated it was to nominate delegates to be voted for by the people to sit at Topeka to frame a State constitution. I understood that it was not to be a free-State convention. I know that some free-State men nominated pro-slavery men. Mr. Halderman was nominated, but declined; another pro-slavery man was nominated, but declined. I understood that all parties were to be represented.

I was not present at the Big Springs or the Topeka conventions. I have seen and read the resolutions passed by the Big Springs convention, and believe they were generally endorsed by our party.

In Atchison, while I was standing in the passage of the hotel, I judge there were eleven men present, but do not know whether there were any more or less in the party after I went to bed. I can give no opinion as to the number of people in Atchison. I should think there were a great many more than eleven there.

EDMUND R. ZIMMERMAN.

TECUMSEH, K. T., May 7, 1856.

PETER T. ABELL called and sworn.

To Mr. Scott :

I, with a number of other persons of Atchison, of this Territory, was at Lawrence a few days ago, with the United States marshal's *posse*. During the time we were there some of the gentlemen of the *posse*, from my town, picked up those letters, with a number of others, and other papers, near the big hotel, and handed them to me. The papers that were with those letters were notes and bonds, and other papers, directed some to A. H. Reeder, and some to Grosvenor P. Lowry. The reason I am not willing to surrender them, but have prepared copies for this investigation, is that I have been requested to give them to attorney general Isaacks.

Cross-examined by Mr. Sherman :

I did not regard the letters in any light at all when I received them, either as private or otherwise, for they were handed to me while I was then in the *posse*, and I took them. I heard them read ; and the gentleman who read the letters said that, as Reeder was one of the persons the marshal wished to arrest, he thought it right to look into his letters. After hearing the letters read, I supposed they were private letters written by Reeder to Lowry ; but I had no regard about them, as there was much confusion there—many men about there at the time ; and I took them when they were handed to me. I have exhibited the letters to others since then. I do not know as I can recollect all who have seen them. They have been read since they came in my possession ; and I do not recollect of but two or three individuals who have read them since I came back here. I do not know the private relations between Mr. Lowry and Gov. Reeder. I have heard, since I came here, for the first time, that Mr. Lowry was Gov. Reeder's private secretary. The question of the propriety of exhibiting these letters has never been raised by the persons I have shown them to, or who have heard them read. At the time the letters were read, it was said that Reeder was one of the very men the marshal wished to arrest ; and he was generally regarded as the instigator of all the devilment in the Territory, and anything was fair with him. I exhibited them after I ascertained they gave no clue to his whereabouts, merely because I thought they were evidence to show Reeder's

connection with the disturbances in the Territory, and for no other purpose. All to whom I have shown these letters have taken the same view I do with regard to the propriety of exhibiting them ; at least, I judge so, as nothing was said against it. Under ordinary circumstances I would be the last man to examine private letters. I have shown the letters to my private friends, but I do not think I am called upon to say who those persons are. Others of my private friends I have refused to show them to, even since they have been brought before this committee ; and I would suppose that, at that time, there were some twenty or thirty persons present when they were read. I think a gentleman named Palmer, of Atchison, picked these letters up in the street, near the hotel, and, I think, before the hotel was destroyed, though I will not be positive about that. I do not know that Gov. Reeder's trunk was broken open, though I heard that one of his trunks was found. I do not think these letters were taken from his trunk, though they may have been. When Mr. Palmer handed me these letters, some one, I do not know whether it was Palmer or some one else, said those letters were important ones, and should be preserved. When I received them I understood them to be letters from Gov. Reeder, for some one read out his name at the bottom of some of them. When the property was being carried out of the hotel, I was in a room with General Pomeroy writing ; and when I came out they were handed to me. They appeared like a parcel of letters put up in a hurry when I saw them. I saw that some were directed to Lowry, and some to Reeder, and looked as if the papers of both persons had been hurriedly tied up together. All these papers, except some I have here, were sent to Atchison with the company that went from Atchison ; and I think they are now at Weston, Missouri, to be returned, so far as the valuable papers are concerned, to those to whom they belong, if they can ever be found. I cannot say in whose possession they are now. I heard of no money being found with the papers. I did not read any of them myself, but merely heard others read them. I never took possession of any but these letters. I did not see or hear of any letters to Reeder there from his wife. The papers were read before the crowd ; and one article on free love, said to be in Reeder's handwriting, which seemed to cause some amusement. I did not hear of there being any letters in this bundle from Mr. Reeder's family. I do not think there was any particular authority for taking the bonds and papers to Weston ; but I took them there myself. I will not tell in whose custody I placed them, because I think it has nothing to do with the letters brought here. No communication has been made to Mr. Reeder, or any of his family, at Easton Pennsylvania, in regard to these papers, to my knowledge. This bundle of papers was picked up in town, taken to camp, and there read to some persons in the camp ; after which they came into my possession for the first time. In the foregoing testimony I do not mean to convey the idea that these letters were read to the whole crowd in the town as soon as they were picked up, for I did not hear any of them read until after we went back to camp.

P. L. ABELL.

LEAVENWORTH CITY, K. T., *May 27, 1856.*

H. Rep. 200—65*

D. J. JOHNSON testifies:

To Mr. Matthias:

When the difficulty commenced which led to the tarring and feathering of Phillips, politics had nothing to do with it. Malcolm Clark had been killed, and an inquest was held on his body. When more facts were brought to light which led the community to believe that Mr. Phillips was accessory to the death of Clark, a meeting of the citizens was called, at which I myself made a speech, and declared that if politics had anything to do with Mr. Phillips' case, I would have nothing to do with it. It was believed by the citizens and myself that there was no law to bring Mr. McCrea or Mr. Phillips to punishment. The citizens at that meeting appointed a committee of ten men to inform Mr. Phillips to leave town in five or ten days, or some such time. At the time appointed for him to leave, there was a large number of the citizens assembled on the levee, who instructed the committee to go and see if Mr. Phillips had left. We went to look for him and could not find him. We reported him gone. The citizens refused to discharge the committee as they were certain he would return. He did return that night. The committee, assembled some two or three days after that and arrested Mr. Phillips—took him over on the island opposite here, and there took a vote as to what they should do with him, after he had refused to sign a written agreement to leave the Territory. A majority of the committee voted to tar and feather him. The committee could get no tar and feathers this side of Rialto; and we took him up there and feathered him a little above Rialto, Missouri. The only politics ever connected with the affair was afterwards by the newspapers. On the day that Malcolm Clark was killed there was a large Delaware squatter meeting to regulate their claims, and perhaps elect some officers. Mr. McCrea, I think, lived on Kickapoo lands, as I understood, and was not regarded by the Delaware squatters as a member of this meeting. I was not present at the meeting, but was sick, until after I heard Malcolm Clark was dead.

D. J. JOHNSON.

LEAVENWORTH CITY, K. T., *May 30, 1856.*

Captain JOHN W. MARTIN called and sworn.

To Mr. Oliver:

On the 17th of January, 1856, about 11 o'clock at night, I got a letter from Dr. Motter, of Easton, requesting us to come down there and assist them against the free-soilers, who were going to drive them out. I answered his note by telling him I apprehended no danger, and he had better go on until they commenced to fight. About sunrise the next morning I received another note from him, saying that one of their men named Cook had been killed by the free-soilers the night before. I then went down to Kickapoo, and told the men what had happened, and showed them the notes, and we concluded, a good

many of us, to go out to Easton and see what was up. We started off—citizens of the place, as they chose to go. I was asked if I was going to call out the Kickapoo Rangers, and I said I was not. We went about three miles from Kickapoo, and then stopped at the house of a man named Kenedy, who lived on the military road. Some of the men went on while we were stopping there. They had been gone some five or ten minutes, and we heard them coming back in company with another wagon. They came up and said they had caught some men from Lawrence, who had been at Easton in the fight the night before. That caused a good deal of excitement, and some questions were raised as to what we should do with them. Some of them got into a fight with one young man who had been taken in the wagon, by the name of Taylor. I was asked what we had better do with the party, and I said that I thought it would be better to take them back to Easton, and then we could see who they were. About that time, Dr. Motter recognised Mr. Brown as being the captain of the party who were in the fight at Easton the night before. Some of the free-State men in the wagon asked me what we were going to do with them, and I told them we were going to take them back to Easton. They asked me if I would protect them, and I said I would, so far as I could. I requested Mr. D. A. N. Grover and Mr. Williams to get into the wagon with them, to protect them from injury, they being sober, discreet men. We then went on to Easton, and all of the free-State men got out of the wagon, and we put them in Mr. Dawson's store for protection against some of the men who had got to drinking and had become excited. Some were excited before we got there, and belonged to the party who had been there the night before. We found no free-State men in Easton, who made any show of fight, as had been represented to us. I took Mr. Brown out of the room where we had placed him and his party, and took him into another room where there were some four or five of our party, in order that we might examine him, and decide what was best to be done with him. Dr. Motter questioned him as to what he (Brown) had done the night before. Brown went on to state that they had come to Easton to the election to vote, and to defend the polls if necessary; that he had understood that the Kickapoo Rangers, or the pro-slavery party, were coming there to take the ballot-box away from them. He stated the cause of the difficulty of the night before, to have grown out of the fact that Mr. Sparks was going from Mr. Minard's house home, and the news came to Mr. Minard's that Sparks had been taken prisoner, and he went down with some 30 or 40 men to rescue him. They went down and found Sparks up in a corner of the fence, with some 15 or 20 men around him. He demanded that Sparks should be given up, and they did so, and he ordered the party who had Sparks to march back in front of his party. They refused to do it, and told him to go before and they would come after him; and they marched that way about a hundred yards to where the road forked. He (Brown) and his party took the left-hand road, and the other party took the right-hand road. He said that where the roads are about 40 or 50 yards apart, and the two parties were about opposite to each other, there was a gun fired, and he thought it was from the pro-slavery

party, and he and his party then returned the fire. He said there were some two or three rounds exchanged, and all of his men ran off, pretty much, and went up to Minard's.

That, I think, is about the substance of what he said at that time about the matter.

When Brown had made this statement, the question came up as to what we should do with him. Myself and Mr. Elliott, Mr. Grover and Mr. Burgess, advised them to bring Brown back to Leavenworth city, and place him in the hands of the proper authorities here. There were others in the room at that time; and I went out, and the crowd asked what conclusion we had come to, and I told them. They swore that would not do, because Brown would get away as McCrea had, and they were determined to have Brown or shoot him. I told them that would be wrong and cowardly, as Brown was a prisoner, and that I would be responsible for him—would take him back myself, and he should not get away. Several other men promised the same thing, and then went back into the house to get some other steady men to go out and talk with the crowd, and try to pacify them; and they did so. While I was in the room some drunken men, some who lived out on the Stranger, some from Leavenworth, and probably one or two from Kickapoo, but none who belonged to the Rangers, broke open the door of the room and came in. Myself, Mr. Rively, and Mr. Elliott put them out again. After the crowd got out, Mr. Elliott, who was an old gentleman, advised me to come out, as the crowd would kill me and Brown both. He said he would not stay there and be exposed to such a set of drunken fools, and advised me to come away. I went out in a few moments afterwards, and went into the other room where the rest of the prisoners were, and got them away while the crowd was breaking the second time into the room where Brown was. I then went back into the room where Brown was, and the crowd succeeded in breaking in the second time. Some of them caught hold of him and tied his hands with a rope, and some tried to shoot him. Mr. Rives and myself tried to protect him all we could by throwing the muzzles of the guns up and trying to take them away from them. Brown said I had done all I could do to save him, and if he was killed his blood would not be on my head. I cursed the men, and told them they were doing wrong, and declared if they would kill Brown in spite of all I could do, I would not stay to see them do it. These men were not a company of which I had any command. The company of Kickapoo Rangers was not called out, and the only way I had any control over those who were there was by entreaty and expostulation. I then went out of the room, and got my horse and went home to Kickapoo, after having done all in my power to prevent any harm being done to the prisoners, and trying to get the sober men to put the drunken men in the wagons and bring them away. I did succeed in getting some of the more sober and discreet men to come away.

Cross-examined by Mr. Howard :

We started from Kickapoo for Easton about 8 o'clock. When Brown's wagon was brought up to Kennedy's, I suppose our whole

party consisted of about forty men. Kennedy's is about five miles from Easton. Our party consisted of only such men as chose to go; but there was no organization. There were some seven of Brown's party with the driver, I think. I think there were two wagons in one party, and one was a four-mule wagon. Some of Brown's party, when we decided to take them back to Easton, asked who was the captain of our party, and some said that I was. Brown himself came to me and asked me to take charge of his pistol, as I did also some of the others of his men. Some of them gave their arms to others of our party. There were some of ours in Brown's wagon, and I think Taylor had a Sharpe's rifle. After we got about a mile from Kennedy's, a man by the name of Green gave me his two pistols. I do not know whether all of Brown's party gave their arms up or not. When Brown's party came up to Kennedy's first with the four or five of our party who had gone ahead of the rest of us, one of Brown's party, who said his name was Taylor, and a man named Gibson, got into a fight. Gibson tried to strike Taylor with a hatchet, but not while Taylor was down. I do not think Taylor was ever down on the ground, but only on his knees. When Gibson struck at Taylor with the hatchet Taylor ran away. I caught hold of Gibson as he was running after Taylor and stopped him. I asked Gibson what he meant, and he said Taylor had drawn his gun on him when they first met. When we started back, Mr. Adams, I think, asked me if we were going to take them back to Easton, and I told them we were; and he asked if I would protect them, and I told him I would as far as I could. I do not think the surrender of their arms was connected with any condition or promise of protection. They were given up to different persons of our party.

Some of those men who tied Brown's hands, and were about him when the crowd broke open the door the second time, were Sharp, Moore, and some two or three men they called Moore. Jo. Moore was one of them, though I did not know them; and one by the name of Moore, (Eli Moore,) from this place. He seemed to be pretty active against Brown, and against what I desired to have done. There were others in the room engaged in the affair that I did not know. I do not recollect of seeing Gibson there in the room. It was about sundown when I left, and I do not think any one had harmed Brown then. There was a great uproar about Brown in the room, and also outside the house. As far as I could hear, Brown desired the crowd to follow my advice, and bring him back to Leavenworth. There were more than a dozen in the room when they broke in the second time; but there were a great many outside. I have never heard any man say he struck Brown any blow, and I never desired to hear anything about the matter. I do not know whether the arms given up by Brown's party were ever returned. I did not keep the arms, but gave them to some of the men. Brown's pistol was sent for by his wife, and I gave it to the messenger. Mr. Grove sent for his, and I had loaned them to some one, and had forgotten who had borrowed them; and I did not know the pistols. I sent word to Grove that if he would come up I would assist him in finding them.

J. W. MARTIN.

LEAVENWORTH CITY, K. T., *May 27*, 1856.

WILEY WILLIAMS called and sworn.

To Mr. Scott:

I know nothing of the circumstances that led to the killing of Brown. I lived in Kickapoo last January, but I went with some citizens to Easton. As I went down to Kickapoo in the morning from my house, Capt. Martin told me that he had received a despatch from Dr. Motter, of Easton, that there had been an election of the free-State party the day before; and about seventy-five men, commanded by a Mr. Brown, had attacked, in the night, a party of pro-slavery men, consisting of about fifteen, in the town of Easton, and shot at and wounded Mr. Cook, who at that time was perhaps dead; and that this man said that there would be a hundred and fifty free-State men on the ground the next day for a fight. Capt. Martin said that there were but few of the pro-slavery party in Easton to protect themselves—not more than fifteen or twenty he knew of in that neighborhood—and he thought it was right and just for us to go out as law-abiding citizens and stop the difficulties that might arise on either side. I told him that I would go out as a citizen to assist in suppressing the difficulties, but that I would not go as one of the company of Kickapoo Rangers. Capt. Martin said that it had been proposed to him by two or three of the company, to have them called out to go as a company. He had told them he had no right to call them out unless ordered by the governor, or some legal authority; and therefore he should not call them out. I agreed with him in that opinion. I suppose some fifteen or twenty of us started from Kickapoo for Easton; some on horseback, some on foot, and one wagon, with about five in it. It is about ten miles to Kickapoo from Easton. There were not more than six of the Kickapoo Rangers in the fifteen or twenty who started with us. We went on about four miles from Kickapoo, and stopped at a Mr. Kennedy's, on the road, to warm ourselves. Before we got to Mr. Kennedy's, we met a wagon with two men in it, and they turned their wagon and went back with us, after we had told them what we heard had occurred at Easton. After we had been at Kennedy's a few minutes, Capt. Martin came to me and said, "Williams, get in our wagon and go on with our boys—we will come after you; there are two or three of the boys drinking a little, and as you do not drink any, you can see that they behave themselves. If you meet any persons on the road before I catch up with you, treat them gentlemanly, and have no difficulty with them if you can help it." I started off with the boys and wagon, and when we had got between half a mile and a mile, the wagon that had turned back to Kennedy's with us was about two hundred yards ahead of our wagon. We saw a wagon pass that and come towards us with some six or seven men. I saw Mr. Hodges in our first wagon look back towards the wagon that they met, and motion his hand. He immediately turned his wagon and came towards us, some forty or fifty steps behind the wagon he had met, and which was coming towards us. When the wagon got within some five or six steps of ours, I said to the boys, "Boys, there's a party of the pro-slavery men just from Easton. The difficulty is all over, and we will go

back. Levi, turn your wagon." Levi Bowman was driving the wagon, and did not turn as I asked him to do, but said he did not believe they were pro-slavery men. I told him, "I know better; there is Mr. Oldham driving, and I know him to be a good pro-slavery man." About this time they got nearly opposite our wagon. I said to them "How do you do, gentlemen?" being pretty confident that it was Mr. Oldham. I said, "Is the difficulty over at Easton? tell us the news." A man sitting in the wagon, whom I learned afterwards was Mr. Brown, did not make any reply, but turned around to the men sitting back of him and looked pretty savage, motioned to the company with his hand, and they seemed to assent silently to something. I then said, "Boys, I certainly am not mistaken; that is Mr. Oldham, and they are trying to play a trick off on us." They moved very slowly, and by this time had got a little past our wagon. I said to them again, "Gentlemen, please to tell us the news; we have started to Easton, and if there is no difficulty at Easton we want to go back. Is that Mr. Oldham driving, or am I mistaken?" This man Brown seemed again to rule the company by a motion of his hand; and nothing more was said by any of the party. Brown's driver seemed to make a kind of a halt. One of our boys said, "they are a set of abolitionists, and will not give a man an answer when he asks them in that gentlemanly kind of style." Two or three of our boys became excited; I told them to keep cool and say nothing—I would ascertain who they were. I then looked on the other side, and saw the other wagon—Mr. Hodges' wagon. One of the boys in that wagon took up his gun, and halloed to Brown's wagon, and told them if they did not stop he would shoot them. Brown's wagon was seventy-five yards, perhaps less, from ours. When one of our men said that those in Brown's wagon were abolitionists, another of our men asked them if they were abolitionists or pro-slavery men? I heard no answer; but one of our men said that he heard Brown say that he answered no such damned questions. When one in Hodges' wagon said that he would shoot them if they did not stop, Brown's wagon stopped, and seven men got out and faced about in pretty good order I thought, towards us, shoulder to shoulder. The driver did not get out. When Brown got out he held his gun about half presented, and the others not so much so. Bowman, our driver, then picked up his gun and said he would shoot. I caught him by his pantaloons and pulled him down on the seat. When he put down his gun, I then told the boys to raise no fuss, and not to shoot; that that was certainly Mr. Oldham, and they were trying to play off a trick on us, and I would go and see them. Two of the boys in our wagon said they were younger than I was, and they would go and see who they were. I said, talk to them coolly. Find out who they are, and what they are after. Brown's party still kept their ground. Our boys passed by them instead of talking to them, as directed by me. Brown and his party then started on foot and followed our boys on towards Kennedy's. I then said, "Boys, we will go on and see what they are after," &c. Some of the boys got out of our wagon and went on foot, and when two or three of us in the wagon got to Kennedy's, I saw Brown and his party in our crowd except the driver, who was in Brown's wagon. One or two of the pro-

slavery party were fighting them. Brown's party were not fighting at all. Capt. Martin was trying to keep peace, and commanded our boys not to touch them. I went to Martin and asked him not to let those men be hurt, as they were in the hands of the pro-slavery party, who greatly outnumbered them. Martin said he had been trying all he could, but two of the boys were drinking, and swore they would have a fight. By this time a young man of Brown's party, named Taylor, whom one of the pro-slavery men had been fighting, ran up to me rather for protection. His cap was cut, as he said, with a hatchet. He asked me what he should do; and if they would kill him; and if he had better run. I told him no; that the boys were excited, and might shoot him, and I would protect him as long as I could stand up, as he said he had been taken a prisoner. While we were talking, I saw a man, whom I do not now recollect, running towards Taylor with a hatchet in his hand; and I saw Capt. Martin, and Taylor saw him about the same time, and asked if that was Capt. Martin? I told him it was, and I called the Captain to me, and he came towards me. I asked him not to let those men be hurt. He said he would not if he could help it. I then called Major Berry, at which time he seemed to be keeping some one from fighting one of Brown's party. I asked him if he was assisting in keeping order, and he said he was. Mr. Taylor and Capt. Martin were standing by me; and Mr. Martin said to me that it was damned strange that two or three of the boys, who had been drinking, and who had been the cause of the whole fighting here, could not be kept in subjection by that crowd. The difficulty there was then suppressed. Captain Martin selected two or three men—Dan Grove was one of them—to go into Brown's wagon with his men, as they were taken back to Easton, and see that they were not ill-treated. We all then went on to Easton; and when we got there, there were a good many of the pro-slavery party at the store of Dawson—two or three drinking; and there appeared to be a good deal of excitement. One of them swore he would kill Brown; that he was the damned rascal that shot Cook the night before. I asked how he knew that; and he said he saw him do it. Brown's wagon had got there, and he and his party had been put in Dawson's store. I went into the store, saw Brown and his party there, and there was no person saying anything to them; but there was a great deal of excitement outside. I went to a house about two hundred yards from the store to see Mr. Cook, who had been shot. I went back to the store in about an hour afterwards, and Brown and his party were still in the store. About that time Brown was taken out of the store. I did not see how he went. In about twenty minutes I went out and asked where Brown was. Some one told me he was in Dr. ——— drug-store, adjoining Dawson's store. I asked what they were going to do with him; and that person said he did not know, but he believed they would hang him. About this time two men, I was told, who hired about Easton, and had been in the fight the night before, came up near the door and said that they might as well hang him; if they did not, they would shoot him. They had guns; and one said he would shoot Brown, and said to the other, "I will go around to the back window and shoot through now, God damn him." He was

pretty drunk at the time, as I thought. I followed him around, and put my hand on his shoulder, and told him not to do so by any means in the world. By this time Captain Martin came up where I was, and said to this man, "God damn your soul, if you do not stop telling about shooting, I will shoot some of you." I turned around and saw an old gentleman by the name of Elliott, and asked him what he thought of the proceedings, and what they were doing in there with Brown? Said he, "I do not know; these drunken rebels are acting so, I cannot get in there." I asked him what he thought ought to be done? He said, "Why, we have laws here; I think we ought to take him and have him tried before Judge Lecompton; what do you think of that?" I said that was decidedly my opinion, and that I had consulted with Judge Russell, and he and Captain Martin and others were of the same opinion. Directly after that, I said I would try to get into the house and see what they were doing. Squire Elliott said he wished I would, and proposed that we should try and get the boys home, and let Brown be dealt with according to law; and that from what he had understood, Brown had confirmed many to hang him. I then went to the door. A man followed me there with a gun in his hand, who I understood afterwards lived near Easton. He said to me, "If you go in there I will go in too, and shoot that God damned abolitionist Brown, for I intend to kill him." I do not think I learned his name. I did hear that it was a man named Moore, so some thought from my description. I knocked at the door, and it was immediately partly opened, and this man rushed in before me. Captain Martin was either in there or went in there about that time. I stood at the door and saw Captain Martin catch this man's gun as he said he would shoot Brown, and seemed to try to take it away from him, cursed him and told him he should not shoot, and that he was a damned fool. In the encounter Captain Martin and this man fell, rather up against the house. I did not go in, but went away just at that time. Directly I saw Captain Martin outside, and asked him what we should do? He asked what I thought should be done? I said that we should take Brown down to Leavenworth City and give him up to the civil authorities. He said "I can't do anything, nor you either; let us go home. Go and get in the wagon, and if any of these drunken sons of bitches want to stay here let them stay. I have done all I could do with them. But look around for the boys a little and tell them we will go." I then went to see if I could find any of the boys, and saw two or three by the door of the house where Brown still was. One of them I knew, and he lived in Kickapoo. I asked where our boys were that came in our wagon? He said he thought one or two of them were in the house where Brown was. I knocked at the door. It was opened, and I went in. They were then taking a rope from off Brown's hands, which seemed to have been tied. Brown was then standing in the corner, with some four or five boys standing around, and some were talking rather harsh to him. One of them was named Sharp, from Kickapoo. The other I did not know, but was told they lived about Easton. I said, "Boys what in the world are you doing? You have been fooling here all day, and it is now almost, night and it is time for us to go home." Brown then said, speak-

ing to me, "My friend, can you do anything for me? I am in a bad condition." I was just about saying something, when some three or four persons got in between us, and I did not get to speak to him. I then started out, and said, "Boys, let us go home. The only way to deal with Brown is according to law." I went out; the first man I met was Levi Bowman, our driver. I told him to get into our wagon and we would go home; and then he, Robert Wooding, and myself got into the wagon, which was about fifty yards from the house where Brown was.

After we had got in the wagon we saw a good many men around the door of Dr. Motter's, where Brown was; and some one in the crowd up there said, "Come here, Bob Gibson." Bob was then coming towards our wagon; but when called, turned around and said, "What in hell do you want with me?" The other one said, "Come here, you and Brown are to fight; and whichever whips, that shall settle the question, and he has agreed to it." I saw some persons then come out of Motter's office with Brown, and when he came out there was a crowd some twenty or thirty about the office. They then went across the road, taking Brown with them, and went behind a log-house, as I supposed, to fight. The two men who were in the wagon with me got out and went around there, leaving me alone in the wagon, having asked me to go; which I refused, saying, I did not believe in such fighting, and I could do no good if I went and commanded the peace.

It was then between sundown and dark. After they had been gone a very short time, I heard hollooming behind the house, "Hurrah for Gibson," "Hurrah for Brown." In a short time after that, I saw Brown come running towards the wagon I was in, his wagon being close to mine, with the driver still in it. I said, "Come on, Brown, and get in." Several of the boys were close behind him; and one, I do not know who he was, struck Brown in the face and turned him around. That was not more than ten steps from my wagon. As he turned, I saw the blood spouting out of his head or neck, I could not tell which. He turned and ran down the lane, and was pursued. Some person fired a gun, but I saw it as it went off, pointed up in the air. Brown was caught and brought back, put in his wagon, and we all then started home, Brown's wagon going on with us. We stopped about half a mile from Easton, at a grocery kept by Martin Hefness, and Brown's wagon stopped also. I asked some of the boys if Brown was hurt badly; and some said he was, and he was bleeding very bad. I had borrowed a large buffalo-robe of Dr. Motter before I started from Easton, and while the boys went into Hefness's I went to see Brown in his wagon, and said, "Brown, how do you feel? Are you badly hurt?" He said, "I think I am not very badly hurt, but I am very cold." I then told him if he would accept of my robe, he was welcome to it. He said he had a blanket over him, and he wanted me to keep the robe, or I would get cold. I insisted upon his taking it, but he refused, as he said I needed it myself. I then went back to our wagon and got in it, and we went on towards home—Brown's wagon going along before ours. When we got to Kennedy's, about six miles from Easton, Brown's wagon and some of our party went the Leavenworth

road; some of the Kickapoo boys went that way that I know of; but we all went on home.

WILEY WILLIAMS.

LEAVENWORTH CITY, K. T., *May* 26, 1856.

ISAAC S. HASCALL called and sworn.

To Mr. King:

I came into the Territory in 1854 and went up in the neighborhood of Fort Riley, and settled there. In the spring of 1855—I think the first part of March—General Pomeroy came up there, saying he was looking out locations for the men coming out under the Emigrant Aid Society, and concluded to settle a quantity of them at the mouth of Blue river, and made arrangements with a Presbyterian minister from Illinois, named Blood, with regard to their coming on. Shortly after that a party of some forty or fifty came in from the New England States, by the way of Lawrence. After staying a short time with the party, he left to bring up more recruits. He came back with a few more, and then left again for the New England States. He said he was paid by the Aid Society to lecture in the East to drum up persons to come to Kansas. He said his object was to make it a free State. A Methodist preacher from New Hampshire, of the name of Lovejoy, was one of the men who came out with Lincoln. He said he came solely for the purpose of making Kansas a free State; that he did not like the country, but would remain there for that purpose. Lincoln said he had a free pass to go back upon; that he went free; that it did not cost him anything. This company, in connection with a Cincinnati company, mobbed Osborne, and drove him off his claim. There was a company who came from Cincinnati, chartering a boat by the name of "Hartford," and called themselves the Cincinnati Land Company. They were free-State men. Osborne came on and made a claim near the mouth of the Blue river, and they said that unless they ousted him immediately he could hold his claim by law. They alleged against him that he was a pro-slavery man; that they never could associate with him; that they must get rid of him soon or he would hold his claim by law, and consequently they would use force to make him go. The first company that came on from the New England States were the ones who took the most active part in this matter, and the reverend Mr. Lovejoy was the noisiest one among them. He said that he wanted none but his kind of men to settle in that country; and the substance of what he said was, that they would rid the country of that kind of men if they could. Osborne made his claim about the time this company got there. I have no knowledge of his claim conflicting with any claim that was there. A man by the name of Russell went on the claim the winter before, but he left, and said that he did not intend to come back again, as he was disgusted with the country. I do not know whether he had anything to do with this company or not, or whether he sold the claim to them or

not. Osborne did not go on the claim until after Russell left; and there was no conflict that I know of between Osborne and Russell. The company collected in a force of thirty or thirty-five men and went upon the claim where he was at work, and forcibly seized him and took him off. Before they gathered this force I was down near where the boat "Hartford" lay, in the Kansas river, and I heard this man Lincoln advise the men generally to mob him, as that was the only way to get rid of him. The substance of their desire to get rid of him was, that he was not a man of their stripe, and they did not want any such man there. I think there were five preachers in the crowd who had a hand in getting this thing up—four Methodists and one Presbyterian. After seizing Osborne and taking him by force down to the boat they kept him a prisoner for a while, and then let him off. They told that if he left, and did not show his head again, his neck would be safe, but if he did come back they would do something serious to him. Osborne had a friend by the name of Garrett, living up on Blue river, and he went up there. Garrett's brother was a clerk on the boat "Financier," which lay above, in the river. He went up to that boat, and when on his way back they arrested him, without claiming to have any legal warrant to arrest him upon any criminal charge. They made an allegation against him as a reason for arresting him the second time, that he had threatened the life of Captain Miller for the proceedings the day before. And as Osborne stopped at my house and took dinner the day before, they thought, I suppose, that I could give some evidence against him, and they came out on the claim where I was at work, and demanded that I should give evidence against him. One man on each side had hold of Osborne's coat-collar, pulling him along, and one behind was pushing him along, and one was walking before him, swinging a cane over his head. In this manner the man was brought up to where I was at work. I refused to give testimony against him until they showed some authority for doing so. They said they had arrested him, and intended to deal with him, and threatened me when I refused to give testimony against him. I demanded their authority, and they gave me to understand that their authority was in their own strong hands. They tried to intimidate me, and get me to state something that they alleged I knew against him. After some parley, I gave them to understand that I knew nothing against the man. They then carried him back to the boat in the same manner they had brought him up to where I was. They put him in the cabin, and stationed a guard over him. I followed the party to the boat when they took him there. There was a man from Arkansas camped a short distance up the river, and I went after him to get him to assist Osborne. The people said we were making some stir in the matter; and they brought his horse down, and brought Osborne out and told him if he left it was all well and good, but if he did not they would fix him. Osborne then left, and has not been back there since. One of the Cincinnati company stated that they intended to regulate matters in that part of the country, and if a man settled there he would have to come under their regulations. When Osborne was brought up to me, one of the company was riding Osborne's horse around as if try-

ing his speed. This company have now staked out Osborne's claim into a town, called Manhattan. I have never known anything against Osborne; he seemed to be a young man of intelligence, and moved in the best circles in the Territory. I think Osborne's given name was W. J. or J. W. Since that time he has been made postmaster at Wyandott.

I understand, from the company these four methodist preacher came with, that they came from the New England States. I came from New York, where I was born, to this Territory.

Cross-examined by Mr. Sherman:

Mr. Osborne was from New York, I think from Schoharie county. I came from Erie county. The Manhattan Town Company came from Cincinnati. They set up some claim to the land after they drove off Osborne. They claimed that they got their claim from this New England company. They allege that Osborne had jumped the claim he was on. I did not understand from them that the question had been tried by a squatters' court, and I think it had not. There was a case subsequent to that where a person was driven off his claim by this company; I believe it is not an unusual thing for disputes to arise and for men to be driven off their claims in this Territory. Osborne claimed to be a strong pro-slavery man at that time.

To Mr. King:

The New England company they claimed to get their title from was the one that came on under Lincoln. The Cincinnati company came in there as a separate organization, but united with the New England company afterwards. I heard of no pretence by that company of holding a title under Russell. They claimed it by a gift from some of their own party.

ISAAC S. HASCALL.

WESTPORT, MISSOURI, *June 5, 1856.*

PETER T. ABELL called and sworn.

To Mr. Scott:

I, with a number of persons of Atchison, of this Territory, was at Lawrence a few days ago with the United States marshal's posse. During the time we were there, some of the gentlemen of the posse from my town picked up those letters, with a number of others, and other papers, near the big hotel, and handed them to me. The papers that were with those letters were notes and bonds, and other letters, directed, some to A. H. Reeder and some to Grosvenor P. Lowry. The reason that I am not willing to surrender them—but have prepared copies for this investigation—is, that I have been requested to give them to the attorney general.

Cross-examined by Mr. Sherman:

I did not regard the letters in any light at all when I received them,

either as private or otherwise, for they were handed to me while I was then in the posse, and I took them and heard them read ; and the gentleman who read the letters said, that, as Reeder was one of the persons the marshal wished to arrest, he thought it right to look into his letters after hearing his letters read. I supposed they were private letters, written by Reeder to Lowry, but I had no regard about them, as there was much confusion there. Many were about there at the time, and I took them when they were handed to me. I have exhibited the letters to others since then. I do not know as I can recollect all who have seen them. They have been read since they came into my possession ; and I do not recollect of but two or three individuals who have read them since I came back here. I do not know the private relations between Mr. Lowry and Gov. Reeder. I have heard, since I came here, for the first time, that Mr. Lowry was Gov. Reeder's private secretary. The question of the propriety of exhibiting these letters has never been raised by the persons I have shown them to, or who have heard them read. At the times the letters were read, it was said that Reeder was one of the very men the marshal wished to arrest ; and he was generally regarded as the instigator of all the devilment in the Territory, and anything was fair with him. I exhibited them, after I ascertained they gave no clue to his whereabouts, merely because I thought they were evidence to show Reeder's connexion with the disturbances in the Territory, and for no other purpose. All to whom I have shown these letters have taken the same view I do with regard to the propriety of exhibiting them ; at least, I judged so, as nothing was said against it. Under ordinary circumstances, I would be the last man to examine private letters. I have shown the letters to my private friends, but I do not think I am called upon to say who those persons were. Others of my private friends I have refused to show them to, even since they have been brought before this committee, and read before this committee ; and I would suppose that at that time there were some twenty or thirty persons present when they were read. I think a man named Palmer, of Atchison, picked these letters up in the street, near the the hotel, and I think before the hotel was destroyed, though I will not be positive about that. I do not know that Gov. Reeder's trunk was broken open, though I heard that one of his trunks was found. I do not think these letters were taken from his trunk, though they may have been.

When Mr. Palmer handed me those letters, some one—I do not know whether it was Palmer, or some one else—said these letters were important ones, and should be preserved. When I received them, I understood them to be letters from Gov. Reeder, for some read out his name at the bottom of some of them. When the property was being carried out of the hotel, I was in a room with Gen. Pomeroy writing, and when I came out they were handed to me. They appeared like a parcel of papers put up in a hurry when I saw them, and saw that some of them were directed to Lowry and some to Reeder, and looked as if the papers of both persons had been hurriedly tied up together. All those papers, except some I have here, were sent to Atchison with the company that went from Atchison ; and I think they are now at Weston, Missouri, to be returned, so far as the valuable papers are

concerned, to those to whom they belong, if they can be found. I cannot say in whose possession they are now. I heard of no money being found with the papers. I did not read any of them myself, but merely heard others read them; and I never took possession of any but these letters. I did not see or hear of any letters to Reeder then from his wife. The papers were read before the crowd, and one article on free-love, said to be in Reeder's handwriting, which seemed to cause some amusement. I did not hear of there being any letter in this bundle from Mr. Reeder's family.

I do not think there was any particular authority for taking the bonds and papers to Weston; but I took them there myself. I will not tell in whose custody I placed them, because I think it has nothing to do with the letters brought here. No communication has been made to Mr. Reeder, or any of his family, at Easton, Pennsylvania, in regard to these papers, to my knowledge. This bundle of papers was picked up in town, taken to camp, and then read by some persons in the camp; after which they came into my possession for the first time.

In the foregoing testimony, I do not mean to convey the idea that these letters were read to the whole crowd in the town as soon as they were picked up, for I did not hear any of them read until after we went back to camp.

P. T. ABELL.

LEAVENWORTH CITY, K. T., *May* 27, 1856.

MURDER OF DOW.—RESCUE OF BRANSON.—SIEGE OF LAWRENCE.—MURDER OF BARBER.

The following testimony in regard to the homicide of Charles W. Dow was taken in secret session :

WILLIAM MCKINNEY called and sworn.

I reside in the Territory, at a place called Hickory Point, on the Santa Fé road. I have resided there since the first Monday in December last, I think. I lived within four miles of where I now live since last May, at Willow Springs, and lived there at the time Dow was killed. I was at work on my house where I now live on the day that Dow was murdered. I saw Mr. Dow that morning some two hours before he was shot ; that was the first time I saw him that day. The next time I saw him he was coming from the blacksmith's shop, on the Santa Fé road, towards my house where I now live. Mr. Coleman was standing at the corner of the house, where I was at work, with a bouble-barrelled shot-gun. As Mr. Dow got opposite the house, Mr. Coleman was standing at the corner of the house. He left and went out towards the road where Dow was passing. I called to Mr. Coleman to hold on a little, that I wanted to see him. He observed, I will see you again this evening. They both went off down the road together towards Coleman's house. When they got opposite his house I heard a gun fired down there, and I looked and saw the smoke of the gun, and Mr. Coleman throwing the gun on his shoulder. I observed to my son, "I wonder what Coleman is shooting at." The place where Coleman was, when I saw him throwing his gun on his shoulder, was some three hundred or four hundred yards from where I was.

Some time before this, Harrison Buckley came up to where I was at work on my house, inquiring for "the third man," calling no names. He came from towards Mr. Hargous's house. I just observed to him, "you must have been drinking this morning, and your eyes are in an eclipse, and you cannot see." He turned round and went off towards the blacksmith's shop. I heard some loud talking in the direction of the shop, which is west of my house, in sight.

The first I saw of Mr. Coleman that day was between ten and eleven o'clock in the morning. He was going westward toward the blacksmith's shop. He met Mr. Buckley, Mr. Hargous, and Mr. Wagner, as I thought, about half way between my house and the blacksmith's shop. They seemed to be conversing for some time, but I did not hear anything that was said. Neither of them had a gun at that time, as I remember. Coleman went north across the prairie towards a Mr. Runnell's. The next thing I saw of Mr. Coleman was, he was coming from towards Mr. Hargous's, and came up to my house where I was at work at the time I have before mentioned. He observed to me, "you will soon have your house done." He had a double-bar-

relled gun with him. I heard the report of the gun sometime between twelve and two o'clock. When I saw Mr. Coleman throwing his gun on his shoulder he was nearly opposite his house, which is about one hundred yards from the road. Some little time after that I and my son went down to the grocery, which is nearly opposite the blacksmith's shop, to eat our dinner. There I heard from John Bradbury what had taken place that morning between Dow and Buckley at the blacksmith's shop. While we were eating dinner, Mr. Buckley came to the grocery, and said to me, "Mac, did you hear that gun down the road?" I observed that I did. "Well," said he, "there is a man lying dead in the road." I observed to him, "I reckon not, Buckley." He said, "you can go and see for yourself." While we were in conversation a Dr. Chapman came to where we were, and I got in conversation with him concerning the matter. I observed to him, "I believe I will go down there." Chapman said, "I would not go nigh them. You know how it is here. They do not like you very well for building on this claim here, and you might be in a little danger yourself." That was the reason I did not go to take charge of the body of Dow.

About the time Dow passed my house, and Coleman started after him, Mr. Harrison Buckley left the blacksmith's shop and came following along the road, passed my house, and went on after Coleman and Dow; and about the time the gun was fired he had come up with them nearly opposite Coleman's house. At the time I saw Coleman throwing his gun on his shoulder, I saw Mr. Buckley and Mr. Wagner on the ground, off their horses, exchanging them—Mr. Buckley having passed my house on Mr. Wagner's horse. I saw no other person there at that time.

Mr. Dow had a claim adjoining Coleman's, but being an unmarried man, he lived at Mr. Branson's, about a mile or a mile and a quarter northeast of Coleman's house. Branson's claim is north of Dow's claim, and Dow's is east of Coleman's, and mine is south of Coleman's. Hargous did live at that time on the claim I now live on. Hargous was from Missouri. Wagner was from Kentucky. Buckley was from Missouri. Coleman claimed to be a Virginian by birth. I am from Missouri to the Territory, but originally from Kentucky. I came to Missouri four years ago last fall. Dow was from Ohio.

Coleman and Dow did not speak to each other at the time Dow passed my house, and I do not know that they spoke on the road. I did not see Dow's body in the road, but saw blood where he was said to have been found, some fifteen or twenty-five yards from where Coleman was when I saw him throwing his gun on his shoulders. Dow was not armed, so far as I know, but had in his hand, as he passed my house, what I took to be the skane of a wagon.

Some time during the last winter Mr. Coleman was at my house, and told me that he was the man that shot Dow. That was early in the morning, about 8 or 9 o'clock. James P. Saunders, Samuel Clark, and one or two others I do not recollect, were there at the time he said this. He said that he did it in self-defence. He observed this: "I am the man that shot Dow, and nobody else had anything to do with it, and I did it in self-defence."

Dow's body was not removed from where he fell until some time between sundown and dusk. As I was going home I saw a company in the road where his body was, making preparations to take it away, as I supposed. His body was afterwards removed to Mr. Branson's house, and taken charge of by him, as I understood. He was killed on Thursday, the 21st day of November, and buried, I think, on the following Saturday. At the time of the murder, a man named Moody was at work at Coleman's.

Mr. Coleman's house was burned on the night of the 26th of November, 1855. Mr. Buckley's house was burned about daylight on the morning of the 27th of November. On Sunday before the burning of Coleman's house, Mr. Moody took a portion of Mr. Coleman's furniture, and loaded it in a wagon, and started, as he said, for Missouri. A man by the name of James Campbell took Mrs. Coleman and her child, or children, in his carriage to Missouri. The rest of the plunder was left, as I was told by my son, in his charge and that of a Mr. Jones. I was present at a meeting of persons—many of them I knew to be citizens—held at the place where Dow was killed, on the 26th of November. I did not hear any resolutions that were passed. I do not know who was chairman of the meeting. They asked for information in regard to the murder, and I gave them some; but not near so much as I have told here. Since the time of the murder I have seen Coleman passing along Hickory Point several times. I do not know as he has ever assisted as deputy sheriff, or that he was at the arrest of Branson.

I saw Mrs. Jones, who lives about four miles from where I now live, passing along by my house, towards Mr. Coleman's just after Mr. Buckley, and just before I heard the gun fired.

WM. MCKINNEY.

LAWRENCE, K. T., *May 2, 1856.*

SALEM GLEASON called and sworn.

I was present at the blacksmith shop, near Mr. McKinney's, on the 21st day of November, 1855. I drove up to the blacksmith's shop some time between 12 and 1 o'clock. I heard hard words, and heard the blacksmith, a Mr. Poole, say he would not have such words in his shop, and they must go out of doors. I heard him say, "Mr. Buckley, if you cannot behave yourself, go out of the shop. I will not have such words in the shop." I then went into the shop. I saw Mr. Buckley and Mr. Dow there. The blacksmith was mending a small wagon skane for Mr. Dow. The conversation lowered as soon as I stepped into the shop. They soon had the wagon skane and lynch-pin fixed. Mr. Dow paid for his work, and left in the direction of his house. Then there was something said between the blacksmith and Mr. Buckley. And the blacksmith, Mr. Poole, said, "Why did you not shoot him then?" Said Buckley, "I hated to shoot a man on hearsay; but if he has said it, I'll be damned if I won't shoot him yet." Buckley's gun was then cocked at both barrels; it was a dou-

ble-barrelled shot-gun. He said he cocked it to shoot him. He then left the shop, and started on his horse in the direction after Dow. When he took up the gun, which was sitting near the door, it was still cocked. I left the shop very shortly after Mr. Buckley did. He went east and I went west from the shop. Buckley took his gun with him. Some three or four hours after this there came along a teamster who lives at or near Council City, named Henry Smith. He informed my son that a dead man lay in the road east of the blacksmith's shop a little; he did not say how far. I started for my horse, which was some eight or ten rods from where I was. I mounted him, and rode up to the place where the body lay, some mile or so from where I started. I saw the murdered man, who was Dow, lying with his head in the wagon-track and his feet on the side of the road, with the skane and lynch-pin still in his hand. When I came in sight of the corpse, there were some eight or ten men standing over him. As soon as I got, as I supposed, so as to be seen by them, they left. In this company I recognised Mr. Poole, Mr. Coleman, Mr. Buckley, and Mr. Hargous. The company, all except one or two, had guns, mostly double-barrelled shot-guns. There seemed to be a couple of youngsters in the company who were not armed. Mr. Poole came directly towards me as I was going up. I observed, "Buckley has shot Dow at last." "No," said Mr. Poole, "It was not Buckley, it was Coleman." I did not get off my horse when I reached the corpse, but I saw the blood running from his neck, his mouth, and nose; and saw the blood on his breast. I merely stopped to look at him a moment, and then rode past him and went to Mr. Branson's, where Dow made his home. I informed them there that Dow was shot. Mr. Branson was a good deal alarmed at the news, and said he wished me to go on and give information. I rode from there to a Mr. Hopkins' to inform them. But my daughter had got there before me and informed them. My health would not permit me to ride any more, and I returned home. I noticed two shot-holes in Dow's neck as I was looking at him.

I was not at the meeting called at the spot where Dow was found. Mr. Poole left the neighborhood about that time, and, I think, is now in the State of Missouri. Coleman has been backward and forward since that time, during this spring, to Washington creek, which is about six or eight miles from where I live; generally with a pretty strong guard of from six to eight men with him. We knew nothing of where he was for some time after the murder of Dow. Dow was buried on the Saturday afterwards. At the grave, just after it was filled up, a motion was made by a man named Farley to burn the house of Coleman, who had left his house, with his family. I told them, saying, "Here is this man murdered, and for us to go to doing such a thing as that, it will operate against us. It will be better to fetch the offender to justice than to destroy property." The persons there fell in with me, and argued not to do it. Dow was not armed when he left the blacksmith's shop; and I know he owned no small arms. He had there nothing in his hand but the wagon skane, which is a piece of iron about 12 or 15 inches long, between a quarter and a half-inch wide, and perhaps a quarter of an inch thick, and is used to go over the end of the axle-tree where the wheel goes on, and

the lynch-pin is passed through it. Dow was considered a peaceable citizen. Dow made his home at Branson's, but I think there was no relationship between them. Their claims adjoined. I am myself a native of New York, but emigrated from Pennsylvania to the Territory. Poole left his shop and the neighborhood shortly after the forces began to gather on the Wakarusa. I believe the Mr. Farley I have mentioned came from the State of Missouri. Coleman's house was burned some few days after Dow was buried. Farley was still in the neighborhood when the house was burned, but left shortly afterwards.

SALEM GLEASON.

LAWRENCE, K. T., *May 3, 1856.*

THOMAS BREESE called and sworn.

I live about three miles from where Coleman lived last fall, and about the same distance from Dow and Branson. I was at home at work at the time Dow was killed. For some five or six weeks previous to the death of Mr. Dow, H. H. Buckley used to visit my house. On one occasion, as he was sitting at my dinner-table—he, his wife, and two other neighbors were there—he commenced with his great threats on the abolitionists and Yankees; what they would do with them; how many they would shoot down, and so forth. I named to him, as he got my feelings rather warmed, “Mr. Buckley, the way to shoot down the abolitionists and Yankees is, to use them well, and when you go to the polls, then give your vote, and let them do the same.” His wife was sitting present, and ordered me to say nothing to Mr. Buckley on that occasion whatever, and let him alone; and let him do what he pleased, and no matter what he did, he belonged to a society that, if his property was destroyed, would give him three times as much more. I got up from my own table, and told her, if that was the game, just go ahead, I should say no more. After I got up from the table, Mr. Buckley observed that he meant to shoot the paunch of old Branson and Dow, because they were abolitionists, and would steal his niggers. That led to our neighborly intercourse being broken up. I heard no more threats from Mr. Buckley. I heard of the murder of Dow about the dusk of the evening he was killed. I had a daughter that had stopped at Buckley's, and they had sent my horse home. I put my horse away, and started to see after her, and she came running up to the yard fence; and I asked what kept her. She stated that Mr. Buckley had gone out hunting, as his wife said, and she wanted her to stay with her that night, as she did not think Mr. Buckley would get home. “And,” says she, “pap, they have killed Mr. Dow, and he is lying in the middle of the road alone, about opposite Coleman's.”

I ran then afoot just as fast as I could. When I got there, the body had just been removed to Mr. Branson's house. I saw the puddles of blood in the road. I then turned back home. The next morning I went to Mr. Branson's, and saw the body of Dow there. I helped to dress the body, and saw the wounds. There was one slug

went into the jugular vein on the left side, and one in the jugular vein on the right side of the neck, entering in front. There were four shots went into his breast on both sides, just above the pit of his stomach, three of which went clear through his body, and lodged in the back of his coat. These slugs were scattered, two on each side, a short distance apart, some six inches below the wounds in the neck. The slugs that passed through his body were of lead, and looked as if they were made of lead beaten out and cut off; were of irregular shape, and are now in the possession of Mr. Branson. We buried him on the Saturday following.

I was not present at the meeting at Hickory Point. I emigrated into the Territory from Missouri nearly two years ago, but was born in Montgomery county, Maryland. I lived some years in Kentucky. I first saw Buckley in Johnson county, Missouri, but had no personal acquaintance with him until he came into the Territory. I first saw Coleman at Hickory Point. I first knew Dow at Hickory Point, also. I first knew Branson here in the Territory; he came here from Indiana. Dow was one of the finest young men I ever got acquainted with—a quiet, peaceable man, and worked for me a great deal.

THOMAS BREESE.

LAWRENCE, K. T., *May 3, 1856.*

NICHOLAS MCKINNEY called and sworn.

I was at work with my father on his house on the day Dow was killed. I saw Coleman on that day, between 12 and 1 o'clock, as he came to our house. I saw Mr. Dow before noon, about 10 or 11 o'clock, going towards the blacksmith's shop; and I saw him returning in about an hour and a half with a small piece of iron in his hand. He said good evening or good morning, I forget which, as he passed and went on towards his house. Mr. Coleman was at our house as he passed, and he started after Mr. Dow just as he got opposite the house, and I saw them going off side by side. I went to work on the house after they passed, and was chinking the house. I saw Mrs. Jones go by a few minutes after they left, in the same direction. I kept at work until I heard the report of a gun, and looked and saw the smoke of it. Coleman was standing some fifty yards or so from his house. I saw the flash and smoke of Coleman's gun, and saw him throw it, first on his arm and then on his shoulder, and then turn off towards his house. I should think, that from where Coleman stood when I saw him to where Dow's body was found, was some thirty or forty yards. Buckley passed our house just behind Mrs. Jones, riding on horseback. When I turned around at the report of the gun, Buckley had got off his horse, and was standing near Coleman, and Hargous was there at the same time on foot. When I looked around, Mrs. Jones was about fifty yards this side of where Dow's body was found.

Mr. Buckley came riding up on his horse from towards Mr. Hargous's, about 10 or 11, and had a double-barrelled shot-gun with him. When he rode up near the house he called out, "where is the third

man?" I told him there was no third man there. My father said to him, that he had too much liquor in him. He said he reckoned not, and then turned away and went towards the blacksmith's shop. The next time I saw him, was when he went on after Coleman and Dow. When Coleman went off with Dow he had a double-barrelled shot-gun in his hand. I first saw Coleman on that day in the morning, about 8 or 9 o'clock; he had no gun with him then, and was on horseback. When he and Dow went off from our house, which was the next time I saw him, they were on foot. Something like half an hour after that I heard of the death of Mr. Dow, from Mr. Buckley. I was then in a grocery near the blacksmith's shop, and Mr. Buckley rode past it and went to the shop, then turned back to the grocery, and said there was a man lying dead by the side of the road. He asked me if I heard the report of the gun, and I told him I did; that was all I said to him. I did not go down to Dow's body, or to the funeral.

I was at the public meeting held at Hickory Point, in relation to the murder of Dow. I think there were about 100 persons there, and it was held at the place where the murder was committed; the men standing in a circle around the spot where Dow was found. I do not think any steps had been taken to arrest Coleman at the time of the meeting. I heard he was then down at Shawnee Mission, or in Missouri. He has never, that I have heard of, been arrested since then, and has been at large ever since. I do not recollect much about the resolutions passed at the meeting at Hickory Point; I cannot identify them. I never heard Coleman or Buckley say anything about that affair afterwards. I do not recollect of ever hearing Coleman say anything about any difficulty between him and Dow. As Coleman and Dow went off from our house together, I noticed that they kept getting further and further apart.

NICHOLAS McKINNEY.

LAWRENCE, K. T., *May 3, 1856.*

JOHN C. DAVIDSON called and sworn.

I live about eight miles from here, and about four miles from Hickory Point. I know Mr. Buckley and Mr. Coleman and Mr. Hargous, and had seen Dow once or twice before he was killed. Since Dow was killed I heard Mr. Buckley say, that on the day of the difficulty he went to Mr. Hargous to help him kill a beef. At dinner time Mr. Coleman came to Mr. Hargous' with his gun, and looked rather mad; and when asked to eat some dinner, said he did not want any. They asked him what was the matter? And Coleman said he had been driven off his claim. There was nothing more said about it then; and Mr. Buckley said that after he got through dinner, he got on his horse and went to the grocery near Mr. McKinney's to get some tobacco and a horn. From the grocery he said he went to the blacksmith's shop. At the shop he found Mr. Dow. Some one had told Buckley, so he said, that Dow had said something about him,

but he did not tell me what it was. He and Mr. Dow, he said, talked the matter over, and Mr. Dow denied ever saying anything of the kind ; and he told me that everything was right between them then. He did not tell me how he got to where Dow was killed, and he did not tell me he was there. He said that after Dow was killed, a Dr. Chapman came on, and Coleman said he wanted to give himself up and have a fair trial ; and Chapman advised him to go to the governor, who was then at Shawnee Mission, and give himself up. Buckley said that Mr. Coleman wanted him to go with him, and he went to the Mission with him. But he said if he had known he would have been implicated in the matter by going with Coleman, he would not have gone. Buckley told me that Coleman had shot Dow — that Mr. Dow had driven him off his claim. He said that before this, Mr. Dow had had his claim marked out, and when the reserve line was run, it threw Mr. Dow's claim over on Coleman's claim. Mr. Coleman was engaged in the burning of lime, and Mr. Dow came and told him to stop ; and he would not do it. And Dow went down and got Mr. Branson ; and when Coleman saw them coming, he left. He told me that Coleman had shot Dow, but did not say how it came about. He told me that the controversy about the lime kiln took place the day of the murder. There were no witnesses subpoenaed in our neighborhood, and no examination made of the charge against Coleman that I know of.

JOHN C. DAVIDSON.

LAWRENCE, K. T., May 3, 1856.

(The secret session was here closed.)

THOMAS BREESE testifies :

It was some time in March, 1855, that Lewis Farley was living on a claim near Hickory Point, with his family. In the first settlement of the Territory the squatters met and made a law that every settler might hold two claims—a prairie claim and a timber claim, of 160 acres each. I was at their meeting of the 15th of August, 1854. They wanted me to vote upon the subject ; and I told them I should not vote, because I had not taken a claim, and had no right to do so. After they had voted on that proposition, they then agreed that the claimants were to be upheld in their claims at the risk of life, death, property, or what not. I then told them that I did not think the *squat law* could rule the government. Mr. Farley was by, and made a proposition to the meeting to support him in the holding of claims for his father, brother, and brother-in-law ; and they agreed to do so unanimously. He said his father and brother and brother-in-law had been out here and made their claims, and were coming back ; and I know that they did come.

After that Mr. Farley built a house on each of those claims. Men came on them afterwards and jumped those claims, leaving him in possession of his own claim. In the latter part of the winter, or the first of the spring, in 1855, a little squad came up from Missouri. I advised Farley to relinquish his prairie claim, and go on upon his

timber. He did so. When the squad came up they told him he had to leave that timber. He told them he was the first claimant there, and had relinquished his prairie claim. They undertook to compromise with him, and coaxed him out to Willow Springs, to go before a referee. There had been a foundation for a cabin made on the claim, which Farley had torn down. He was not seen by his family for some time after he went up to Willow Springs. One of the mob, my near neighbor, said to me, "They had run off Farley—the stinking scoundrel; and now they would starve out his wife and children." Some time after that Mrs. Farley came to my house crying, and I found that the house had been torn down. The main leader of them was, I think, a Mr. James Morrison, who lives about two and a half or three miles from Westport, with whom I talked. He gave as the reason for tearing down Farley's house that he was a free-soiler, and claiming more land than he deserved. Mr. Farley and his family finally left the neighborhood.

Cross-examined by Colonel Woodson :

Lewis Farley was from Indiana. James Morrison, near Westport, and his son George Morrison, and Coleman, (who was charged with killing Dow), a man called Ripets, Thomas Hopkins, and Joe Lager, and a number more I do not know, were engaged in this matter. Of these men, Coleman and Hopkins lived in the Territory then. Ripets told me that they tore Farley's house down. Farley was on the claim when I came into the Territory. The house that was torn down was finished about a week before. The one that Farley tore down was a cabin not finished, put up by a Mr. McKinney, so Farley told me.

To Mr. Sherman :

Ripets said about Farley, "The damned abolition son of a bitch, he intended to kill him." I learned from the company that they had mobbed Farley at Willow Springs.

To Mr. Reeder :

This was just before the March election, and the company did not leave the neighborhood until after the election; at least I saw them at the election in this district. I want you to understand, gentlemen, that I am a pro-slavery man, and voted the pro-slavery ticket; but I want to see things done fair.

To Colonel Woodson :

I heard from Ripets and Morrison that they had mobbed Farley. I saw James Morrison here at the election of March, 1855. Morrison was the only one of the mob from Missouri that I saw at the election. Lager lives at Hickory Point. Hopkins lives close by me. I do not know whether Ripets is living in the Territory or not.

THOMAS BREESE.

LAWRENCE, K. T., May 3, 1856.

WILLIAM McKINNEY testifies:

I understand that Ripets makes his home at John Wells', near New Santa Fe, Missouri. Ripets said to me, "we have torn down Farley's house;" and he told me that some 150 persons had camped on the claim he was claiming at that time. Ripets said also, "They have given Branson notice to leave there, and that damned old abolitionist is so badly scared that he dares not step out 50 yards from his house to cut a stick of timber for firewood." I saw a party start out from Missouri towards the Territory a few days before the election, the 30th of March, and they returned in five or six days. My eldest son, Wilday McKinney, was along with them. I did not hear them say that they were coming out here to vote, or why they were coming. It was after the party returned that my son told me that Farley's house had been torn down on that trip. That party went to Sweetzer's creek, some 28 miles from Hickory Point, as they told me. There was but a small party of them, and they went out in two-horse wagons. I understood from them that an election was held at Sweetzer's creek on the 30th of March.

WM. McKINNEY.

LAWRENCE, K. T., *May 3, 1856.*

WILDAY McKINNEY called and sworn.

I was at Hickory Point last fall, the day after Dow was killed. I was down in the State of Missouri the day Dow was killed, and left Westport the evening of that day. I stopped at a place that night on Indian creek, and Coleman came in after I had been in bed some time. I waked up as he came in, and raised up in my bed and asked him what was up, and he said nothing particular; that was all that was said that night between us. The next morning he told me he had killed Mr. Dow—that he had shot him. I don't think he told me anything more about the matter then. He said he was going down to Westport and to the Mission to give himself up. I then went on home. I live with my father, William McKinney, and keep the grocery he spoke of in his testimony. The day after I got back Mrs. Coleman sent for me, to see me as to what she had better do, to go or to stay there. After some conversation, she concluded to go to Missouri. I helped to load most of her furniture and things into a wagon; some things were left there. About a month after that I saw Mr. Coleman again, but he said nothing about Dow at that time. Some other time after that Coleman told me that on the day Dow was killed, in the morning he and Moody was down fixing a limekiln, and Branson and Dow came up with their guns where they were, and drew them on them, and ordered them off. He then left and went up home, he said. He saw Mr. Dow in the evening again, and Dow made at him with a wagon skane, and he shot him.

WILDAY McKINNEY.

LAWRENCE, K. T., *May 10, 1856.*

DANIEL T. JONES called and sworn.

I know F. M. Coleman. I have heard of the death of Charles W. Dow, of Hickory Point, last fall. I saw Mr. Coleman some time the last of November in company with Mr. Buckley, about half a mile west of Westport, Missouri. He told me there at that time of the death of Dow, and that was the first I had heard of it. I had a slight personal acquaintance with Mr. Dow. Coleman told me that he had killed Dow—that he had shot him. He gave as a reason, that while he was at work on his own claim, cutting timber, Dow had come there and forbade him to cut any more. He also said that Dow had threatened to kill him, and he thought that one or the other of them had to die, and therefore he had shot Dow. Coleman said, when I saw him, that he was going to see the governor of the Territory to give himself up, after he had been to Westport and got some legal advice. I have never seen Mr. Coleman since that time. I was well acquainted with Coleman. So far as I saw of Mr. Dow, he was still and quiet. I never saw anything wrong of him. I never saw Dow intoxicated in my life. So far as I know, Coleman was a man of temperate habits, and I think he was a peaceable man, for I never saw anything to the contrary.

D. S. JONES.

LAWRENCE, K. T., *May* 10, 1856.

Mrs. ALMIRA JONES called and sworn.

I live at Hickory Point, in Douglas county, in this Territory. I lived there last November. I did not know Charles W. Dow. I know there was a man shot there, and I saw him shot. I did not know at the time the man who shot him. I was travelling at the time I saw him shot. I do not recollect the day of the month upon which this was done; but it was during the latter part of November. I was between Mr. Coleman's house and Mr. McKinney's, just past Mr. McKinney's, going towards Mr. Coleman's house. I did not hear the report of the gun, as the ground was frozen, and the buggy made so much noise; but I saw the smoke of the gun, and saw the man fall. The one who shot him then went into Mr. Coleman's house. I passed by where the man that was shot was lying in the road, but I did not know who he was. I did not notice particularly those persons until I saw the smoke of the gun and the man fall. When the gun was fired, I should think those persons were some 20 or 25 yards apart. When I drove by, the man seemed to be dead; lying perfectly still. I noticed him particularly, to see if I knew him. I did not see the man who shot after he went into the house. I was acquainted with Mr. Coleman before the ——— but when

the gun was fired and I saw the man fall. I was not close enough to see who it was. I have not seen Mr. Coleman since that time.

I know Mr. Buckley. I have never heard him say anything about the murder. I know Mr. Hargous. I have heard him speak about the murder several times. At the time of the murder I saw Mr. Hargous going from his house across to Mr. Coleman's, and he was in sight of the murder at the time.

When I passed the body it was lying on the back; his left hand lying on the breast, and the right arm stretched out somewhat, and lying on the ground. I saw a little blood on his chin. I live about three miles east of where this occurred. I saw no weapon about or near the body as I passed it.

ALMIRA JONES.

LAWRENCE, K. T., *May 10, 1856.*

HORATIO OWENS called and sworn.

To Mr. King:

I moved into Kansas Territory the 8th of June, 1854, and settled at Hickory Point, in the 1st district, and have resided there ever since. I know something about the difficulty between Coleman and Dow. There was no political excitement there at that time. There were persons of both parties residing there, and their opinions were well known. I know the time when the difficulty between Coleman and Dow took place. Immediately after the death of Dow there was a company of armed men gathered near Coleman's house. They wished to hold a meeting to see what course they would pursue. I understood the object of the meeting was to devise some plan to get possession of Coleman, in order that they might be revenged on him. Mr. Coleman was advised by some of his friends, Dr. Chapman and others, to leave the neighborhood, and give himself up to the authorities of the Territory, as his life was in danger if he remained there. He did leave, and gave himself up to the sheriff of Douglas county. After he left the neighborhood, there was a company of armed men, more or less in the body at different times, from ten to forty men. After they held this meeting in the evening, Mr. Coleman's house was set on fire, and then put out by the company. That night the house was fired again, and burned down. Buckley's house, in the neighborhood, was burned the same night. I do not know who did it. Every thing Buckley had in his house was burned. Mrs. Coleman did succeed in saving a portion of what was in Mr. Coleman's house. The band was travelling around through the country. I have seen them, and I had a conversation with two of my neighbors who were present at the first meeting. I never had any conversation with Mr. Branson about it. At that time and afterwards the two parties separated, and the free-State and pro-slavery men looked upon each other as unfriendly. As to Coleman and Dow, they never had any arguments about political affairs; but the difficulty grew out of a claim. The free-State men have come there in the neighbor-

hood and settled there, and said that they had the numbers to hold their claims; that if they found a piece of land they liked they aimed to get it. This was the talk among the free-State men at different times. The first time I saw S. N. Wood, was at Lewis Farley's house, near to me. He came there in a two-horse buggy, and his wife and child was with him. He was a stranger to me. The first word he spoke after he came into the house where Mr. Farley, myself, Mr. Bounds, and Mr. Johnson were, was to inquire who owned niggers in that neighborhood. Mr. Farley told him of several who owned niggers, and among, others, said that Mr. Owens, pointing to me, owned a nigger. Wood remarked, that if he was a nigger he would not serve his master an hour after he came into the Territory; that it was a free country, and niggers were free the moment they were fetched there. I told him if he was a nigger and belonged to me, and attempted to cut up any of his shins, I would whip him like hell, and make him behave himself. His wife then spoke, and begged us not to say anything more about politics, and have no disturbance. Nothing more was said then, and Wood got a bite to eat, and drove off with his family. The feeling among the pro-slavery men at one time, at the time of the difficulty between Coleman and Dow, in that neighborhood, was, that they wanted the actual settlers to vote themselves, and settle the question of slavery for themselves. It was the general talk among the eastern men, in my neighborhood, that they had the numbers. They made their boast and brags about the pro-slavery men, and said that they had better send their niggers away; that they had the men, money, and power to make Kansas a free State, and they were determined to do it, at all hazards. They spoke in this connexion, as I understood them, of the Emigrant Aid Society, who were helping men to come here for the purpose of making Kansas a free State.

Cross-examined by Mr. Sherman:

These conversations I speak of, and the first talk I heard of the Aid Societies, was in October, 1855. There was no political difficulty in the neighborhood before the difficulty between Coleman and Dow; but after that it sprung up, and has been getting more bitter ever since.

To Mr. King:

It was the talk about the Aid Society of the North, and the making Kansas a free State, at all hazards, that served to create this political feeling.

HORATIO OWENS.

WESTPORT, Mo., *June 6, 1856.*

F. M. COLEMAN called and sworn:

To Mr. King:

I am a native of Virginia, and emigrated to California in 1850, and from California to Kansas Territory, stopping in Missouri some three

months, in 1854. While in Missouri I was proprietor of the Union Hotel, in Kansas City. I came into the Territory in September, 1854, and settled at Hickory Point, in the first election district. I am the individual who had the difficulty with Mr. Dow, which resulted in his death. Mr. Dow's claim and my claim joined—his on the east and mine on the west. Our claims formerly were occupied by other persons. Dow took possession of the claim formerly belonging to a Mr. White. I moved my house five hundred yards or more from where it stood, in order to be more convenient to the timber, for fear that the lines, when they came to be run by the government, should be between me and the timber, and throw me entirely on the prairie. There was a conditional line between me and Mr. Dow, which was mutually agreed upon; and it was agreed upon by the people of the neighborhood that such lines should stand until the government lines should be run. I cut timber on this claim of mine from May, 1855, until late in the fall, and had no difficulty with Mr. Dow, as regards our claims, until after the Shawnee reserve line had been run. This reserve line was some two and a half miles east of my claim. Some two or three of the neighbors, Dow among the number, run off their lines from the half-mile stones placed on the reserve line, supposing that the government survey would make those half-mile stones corners of sections. A majority of the neighbors protested against it. Jacob Branson and Mr. Dow, seeing that these new lines would be advantageous to them, surveyed their lands off so that they would run over on my claim and the claim of Mr. Hargous, which joined me on the north. Branson went to Hargous, where he was at work on his claim with some five or six men, Dow being one of them. They threatened him and prevented him from cutting timber on his claim, so far as they claimed. I had burned one lime-kiln on my claim, and was preparing to burn another the week after I had burned the first one. Mr. Moody was working with me. Mr. Dow came to me one day about ten o'clock, and said he wanted me to stop cutting timber. I told him I was inside of our conditional lines, and was not interfering with his claim. I showed him I was one hundred and fifty yards inside of my claim, according to the conditional lines. He said he had never made any lines himself, and that, according to the Shawnee reserve line, he would be thrown over on my claim some two hundred and fifty yards further than by the conditional line. I told him that I had been conversing with the surveyor who had run the reserve line, and was well satisfied that it would have nothing to do with the government survey, and that the laws of my country protected me in holding that portion of my claim. He swore he did not care a God damn for the laws of the country, and that I should quit cutting timber on that part of the claim. He said, "God damn you, you think you will get all the timber off the claim and let me pre-empt the bare rocky land." I then offered to make a compromise with him. I told him the distance he wished to claim cut me out of the timber entirely, and that I could not make a support for my family without timber for farming purposes. He said he did not care a God damn; that I had made myself very meddlesome at the time he had taken possession of the claim he then occupied. I told him I had been appointed as one of a com-

mittee to investigate the burning of White's house, and asked him if I had not told him that I wished to live neighbors with him, and that, if he was not concerned in the burning of White's house, my door was always open, and he would be a welcome guest. He said I should stop cutting timber there. I asked him how he would stop me? He said he would stop me in a way I would not like, and that if I was not careful he would break my hide. Mr. Moody asked Mr. Dow if he would let us have that kiln of lime we were at work upon? Dow said he would see about it, and then he left. No one was with Dow at that time, and he had no arms with him. Mr. Branson and Dow came up towards us in an hour or so afterwards, with what I supposed were Sharpe's rifles, and I left before they got up. Out of this difficulty about the claim resulted the first difficulty, which resulted in Dow's death.

There was no excitement in the neighborhood at that time, and no hard feelings between persons there in relation to political matters, so far as I knew. There were no hard feelings between me and Dow as regarded politics—so far as I was concerned, at all events. I myself was indifferent in regard to whether Kansas was made a slave Territory or a free State. I was willing for the *bona fide* settlers of the Territory to settle that matter for themselves, and was willing to abide by the decision they made.

The reason I left the kiln when I saw Branson and Dow coming up, was that I knew Branson was an avowed enemy of mine, and had heard he had made a great many threats against me. Dow lived with Branson at that time.

For the alleged charge of killing Dow I came to the Shawnee Mission and surrendered myself into the custody of sheriff Jones, of the county in which I resided, the governor directing that I should be taken before a magistrate of my county. I was carried by the sheriff to Bull creek, and there met an express warning me of the danger of going back into the neighborhood to appear before the justice, there being a large armed force there greatly excited. I returned back to the governor, and he then ordered the sheriff to take me to Lecompton, before Judge Lecompte. The sheriff took me to Lecompton, and I was there in the custody of the sheriff some eight days. Judge Lecompte did not arrive there. My witnesses did not appear on account of the excitement existing in the country, and I requested to be let go to the Wakarusa camp, where Squire Saunders and some of my witnesses were. Being unable to get witnesses to appear, to fully investigate the matter, I gave my recognizance before Squire Saunders to appear before the circuit court of Douglas county, and so far as I know that recognizance is in force against me yet, and I stand ready to answer the charge. I attended at Lecompton at the last circuit of the Douglas county court, and saw Governor Shannon and Judge Lecompte, and told them I wanted the matter investigated. The time appointed for the investigation was about the time Governor Reeder resisted the officers. The court had been in session there more than a week. I told them I wished to have the matter investigated, and was not safe in travelling through the Territory. My reasons for telling them so, was that I had been shot at several times, and just before

that I had been shot at more than twenty times by men from Lawrence, somewhere between Lawrence and "Blanton's bridge." Before this, during the fall before, I had been attacked by twenty-three men, and my mule was shot, but I escaped. I was bound to be there when the investigation took place, and I wanted it over as soon as possible. The matter has not yet been investigated, because the court adjourned on account of the excitement in the county.

To Mr. Howard :

The amount of bail fixed in my recognizance was five hundred dollars. It was signed by Mobillon McGee and Thomas Mockaby. I was at the Wakarusa camp several days, going there from Leecompton. I took no part with the forces there, and merely remained there for my own protection. I never had any appointment tendered to me in any of the companies, and took no part in it. The time I was shot at by twenty-three Lawrence men was while I was going from Leecompton to the Wakarusa camp. I was right opposite Lawrence, on the California road. I cannot say what their names were. Mr. Miller, who was then holding office under Robinson and Lane, told me afterwards that it was reported in Lawrence that night that I had been shot at, but they did not think they had killed me. They shot my mule at that time, but I escaped. I know these men were from Lawrence; because they told the picket guard of Franklin so about ten minutes before I met them, which was after dark, about 8 o'clock. I think Mr. Dow died on or about the 24th of November. I do not recollect the day of the week. The interview I had with Dow at the lime-kiln was about ten o'clock in the morning. I am not willing to answer any more questions in regard to this matter, only so far as its political bearing is concerned. I saw Mr. Hargous and Mr. Buckley and Mr. Wagner that day, after my first interview with Mr. Dow. I went to Mr. Hargous's house, and there was no person at home; and I then started from there over towards Mr. McKinney's. About three hundred yards from Mr. Hargous's, I met Mr. Hargous, Mr. Buckley, and Mr. Wagner. I told them I wanted them to go with me down into the timber, to establish the line between Mr. Hargous and myself, as we had never had any line established between our claims. I told Mr. Hargous that Mr. Branson and Mr. Dow had run me away from where I was at work; and as there was no conditional line between Hargous and myself, I wanted it established that I might not intrude upon him. He said he had not time to go just then, but told me to call at his house in a short time, as he was going down into the timber to receive some corn he had bought from Mr. Wagner, and Mr. Buckley was going along to kill a beef. They went on to Mr. Hargous's, and I returned home. Some time afterwards, on that day, I returned to Mr. Hargous's house, and these three were there. Wagner asked me if I had let Branson and Dow clear me out. I told him that they had. They insisted on my sitting down and eating dinner, which I refused. They said they would accompany me down to establish the line between Hargous and myself, as it was the way they were going. Buckley started, saying he would go to the whiskey shop and get some liquor, and then meet us at my

house. After he had been gone some time, and while the rest were not ready to leave, I told them I would go on and meet Buckley, and meet them at my house. I did not see anything more of them until after the final difficulty with Dow. There was no agreement and understanding between me and Mr. Buckley that he should go to the blacksmith's shop and pick a difficulty with Dow; for I had no idea he knew Dow was there. I did not myself know that Dow was there. I saw Mr. Hargous, Mr. Wagner, and Mr. Moody together after the final difficulty between myself and Dow. I heard afterwards that Dow had been at the blacksmith's shop, and had had some difficulty with Mr. Buckley. The difficulty between Dow and myself was in no way a political one. The politics of Hargous, Wagner, and Buckley were pro-slavery at that time. Mr. Moody was a free-State man. I was at Lecompton a prisoner when Branson was rescued; and I have never had any office or acted as an officer in Kansas Territory. I had accepted a commission from Governor Shannon as justice of the peace; but in consequence of the difficulty between myself and Dow, I threw up my commission.

F. M. COLEMAN.

WESTPORT, Mo., *June 5, 1856.*

JOHN M. BANKS testifies:

To Mr. King:

I live in the same neighborhood where Coleman and Dow lived, between whom there was a difficulty, which resulted in the death of Dow. About the time Dow first came to the neighborhood I made a claim, Mr. Coleman being there at that time. There was a house burned on a claim of William White, who was a free-State man. The day after the house was burned this Dow commenced to build another house on that claim. Some of the neighbors went up to Mr. Dow to see who had burned the house of Mr. White, being a committee appointed by the neighbors to see who had burned the house. Mr. Coleman and myself were on that committee. We talked to him about it. He said he did not burn the house. He was asked if he knew who did burn it, and he would not answer. Mr. Coleman and he then got to talking about it, and Mr. Coleman remarked that if he, Dow, did not burn it, and had no hand in it, and knew nothing about it, he could answer it quietly, and also told him that if a man wanted to live peaceably in the neighborhood he would not engage in such things as that. And so they got to talking about it, and at last they really seemed to get into a quarrel about it. Mr. Coleman told him this: "You deny doing it yourself, but will not say you do not know of its being done, and I think such men as those are dangerous in the country. We have come here to make our homes and settle here, and we do not want any houses burned; we want to live peaceably and neighborly here in the community." Just as we started away, Mr. Coleman turned round and said, "Mr. Dow, we are strangers here together, and we wish to live peaceably with every person." Dow said that was all

right; that he did not burn the house; and then Coleman said, Let us live like neighbors and put a stop to all such things as burning of houses." Dow said that was the right way to get along.

There was very little said about the slavery question just about this time; it was not an exciting subject at all. Dow was living at Jacob Branson' at that time, and I do not think they were on good terms with Coleman at all after this matter of the burning of White's house. Before the house was burned Coleman and Branson were not on good terms, having had some difficulty and a neighborhood law-suit about a claim. I never heard Dow say anything about it; but I heard Branson say Coleman had better keep out of the window and away from about him, and that if he did not he would hurt him. I never heard Dow say anything about Coleman. Coleman and Dow's claims joined, when they made their claims there first. When Dow first came there Coleman was living on a prairie claim, and after Dow had made his claim Coleman went over on an adjoining claim to Dow's. The one that Coleman went on was marked out before Coleman went on it, and before Dow settled on his; and when Dow went on his claim he respected the lines of the claim that Coleman afterwards went on. I think it was in May, 1855, that Coleman went on that claim, and I heard of no difficulty at all about the lines until in the fall, when the Shawnee reserve lines were run. I helped Coleman to cut timber on his claim, and no one disputed his right to do so. The reserve line did not interfere with either of their claims, and one or two of the neighbors, who lived right along their lines, who considered the stones put up by the reserve surveyor would be corners of sections, got a surveyor and had their lines run off so as to correspond with their stones on the reserve line. In this way Mr. Dow's claim was thrown some two hundred and fifty yards on to Mr. Coleman's claim. A majority of the neighbors protested against the lines being altered so as to correspond with their corner-stones. Dow claimed in to the new lines on Coleman's claim a strip of some two hundred and fifty yards wide of timber land. Coleman insisted upon the line that they had fixed upon when they first settled there, but said when the government survey was made he would agree to whatever line was then made. Coleman had a lime-kiln on this disputed strip, and I had helped him to cut timber there before they undertook to sectionize the country there, and had burned one kiln there and made use of the lime without any objection being made by any one to it, and he was preparing the second one, when I understood the difficulty arose on that account; but I do not know the particulars about the difficulty only as I have heard from there.

Late in the evening that Dow was killed I heard of it. I was sick and not able to go up, but I went up to Coleman's the next morning. Just as I was starting I stopped in a neighbor's house, and there were some fifteen or sixteen men came in from around, and asked me if I had heard anything of this murder, and I told them I had. They asked if I knew where Coleman was; I said I did not, but had heard that he had gone down to the governor to give himself up. They then started off and went in the direction of Coleman's house, saying they were going to hunt Coleman, though they did not say what they

were going to do with him. They did not say anything about having any legal authority to arrest Coleman. I went along up after them to Coleman's house, and after we got upon the prairie, Mr. Hargous having joined me by that time, we saw they were about a quarter of a mile from Coleman's house, where they were joined by a party of about as many more, who came up from the timber, in the direction of Branson's. All these went on up to Coleman's house, and stopped at the fence. Three men went into the yard, and walked up to the door and opened it, and one of them went in. I rode on past them, and went over to Hargous's house, where Mrs. Coleman then was. I was there some half an hour, and on looking up towards Coleman's, I saw these men there yet. They were all armed, principally with Sharpe's rifles, some with common rifles. Mr. Branson was among them. Mr. Hargous and I walked over to a grocery, about a quarter of a mile off, and were there a little while, and I looked up towards Coleman's house again, and saw these men about half-way between Coleman's and Hargous's, going towards Hargous's. Some ten or fifteen stopped between the two houses, and the rest went on to Hargous's house. Mr. Hargous, a Mr. King, and I went over to Hargous's house. When we got near the house these men left it, and came towards us. King and I were walking foremost, and we passed those men, but they stopped Hargous. King and I walked on to the house, where we were told these men had been in there searching for Coleman. Hargous was detained a good while by these men, about four or five rods from the house. I heard them talking to him as I stood in the door. I heard Branson ask him if he knew where Coleman was. Hargous said he did not know where he was then, but he knew he had started to the Shawnee Mission to give himself up to the governor. Branson said Hargous lied; that Coleman had not gone down there. Hargous said he had started, for he knew it. Branson insisted that that was not so; that Hargous knew where Coleman was, and had helped to murder Dow. I could not hear what else Branson said, but I heard Hargous say, "Gentlemen, you have got me in your power, and you can kill me, but you cannot make me tell a lie." I saw no officer of the law there at all. The men then went over to the grocery where we had been. I left there and went home. After the men had left the house of Hargous, Mrs. Coleman requested me to go or send some one down to see Mr. Coleman. She said she knew Mr. Coleman would go down to the governor and give himself up, get bail, and come right back; and then these men would meet him, and kill him. I told her I would go down, and I started early the next morning, Saturday, down to see Coleman. I met Mr. Coleman about seventeen miles from Hickory Point, returning with Mr. Jones, the sheriff, who had him in custody, as the governor had told them they had better go back before a justice of the peace, and have the matter investigated. I told them I thought they had better not go up there then, as there was considerable excitement, and many men were there under arms. Mr. Jones said he did know what to do, but he thought he could go up there in safety. I told them again, I thought the better plan was not to go there at present, as I had seen some thirty or forty armed men hunt-

ing for Coleman. I had passed Bull creek, coming this way, about four miles, when I met them, and I turned and went back with them to Bull creek, and stopped there all night. Jones came to the conclusion that it would be better to go back to the governor, and decide upon what course should be taken, and I went back with them to Gov. Shannon's. Gov. Shannon advised the sheriff to take Coleman to Leecompton. Mr. Jones started with him to Leecompton, and I went on with them until we got opposite to Lawrence, and then left them and went into Lawrence. Mr. Babcock and I were personally friendly, and he advised me not to go back home, as there were some 200 or 300 men in arms, who had had a meeting there that day to investigate the killing of Dow. I said I did not suppose there was any danger, but he said there might be a good deal. He said the men that had went over there said they were going to kill Coleman and all his friends. Mr. Babcock is a free-State man, and the post-master at Lawrence. I started and went home. I met several between Lawrence and Hickory Point, some twenty or thirty in all, going towards Lawrence. Some of them I knew to be citizens of Lawrence. They were armed, but did not molest me as I passed them. After I got home some ten or twelve men came down by my house, and some of them told me they had been at the meeting at the Point. They were also armed, some with Sharpe's rifles and some with other guns. These armed men were free-State men. One pro-slavery man by the name of Jones was with this party by my house, but he had no arms. I said to these men that I had heard they had had a meeting up on the hill by Coleman's claim. They said they had; and I asked them the nature of the meeting. They said they had met for the purpose of finding out how the murder was committed, and to hunt Coleman. I told them I could tell them where Coleman was, and that I had left him near Lawrence that morning, and he had gone on to Leecompton in the custody of the sheriff. This was on Monday. Coleman's house was burned that night. I saw the remains of it the next morning. While I was looking at the remains of Coleman's house, I saw smoke rise in the direction of Buckley's house, and found out afterwards that Buckley's house was burned. While these men were at my house, on the evening before Mr. Jones was with them, I asked the men if they were going to commit any depredations, as I had heard they were to burn the houses of all the pro-slavery men at the Grove. One said he did not know anything about that. I asked Mr. Jones if they had committed any depredations on Coleman's property; Mr. Jones said that some of the men had set the house on fire, and others had put it out. The men were a little off on one side when Jones told me this, and they went away then. These men who were going about armed were free-State men, and Branson was the leader of them. I saw a Mr. Dexter, Mr. Cantwell, Mr. McAllister, Mr. Chapman, and a number of others. As far as I knew them they were free-State men, except this Mr. Jones, who was with them at my house on Monday. Mr. Buckley was a warm friend of Mr. Coleman's, and had gone with him down to the governors. Coleman's and Buckley's houses were burned on the same night. I never heard Mr. Coleman say much about his opinion upon the slavery question. I heard him

say frequently, that he wished Kansas to come in as a State, upon a fair vote of the people, and if it was made a free State, and negroes were excluded, he would be satisfied.

When the government came to survey the lands upon which Dow's and Coleman's claims were, Coleman's claim was thrown some 250 yards over on what Dow's claim was when he first took it. The squatter lines were only to stand until the government lines were run.

JOHN M. BANKS.

WESTPORT, Mo., *June 4, 1856.*

JACOB BRANSON called and sworn.

I came into this Territory in March, 1854, and stopped down in the Wyandott nation, and staid there until August, 1854, and then moved out to Hickory Point, and have been there ever since. I came to the Territory from Indiana. Mr. Dow came to my house in February, 1855, and went on his claim, backwards and forwards, from my house, until just before the election in March, 1855, and then came to my house, and remained there all the time until he was killed. Mr. Coleman lived nearly a mile from my house at the time of the murder. There was no previous difficulty between Dow and Coleman, before the one that took place the morning Dow was killed. Coleman and Dow used to speak together when they met. On the morning of the 21st of November last, Dow and I went down on his claim to set a log heap on fire, to burn some lime, which we did; and after remaining a while with him, I returned home, and Dow went off towards the blacksmith shop to get a wagon-skane mended. The skane was a piece of iron about 12 or 14 inches long, for a common lumber-wagon, and was very thin and very much worn. It is hardly an inch wide, and not more than an eighth of an inch thick. About half an hour after I left him, he came back to my house, and complained that Coleman and Moody were on his claim cutting timber. He asked me to go down with him, as Coleman refused to leave when he had told him to do so. I did so, and took my gun along; but Dow refused to take his with him, although I endeavored to get him to do so. He went back with me with nothing but this skane in his hand. We went up to where they were at work, and, before we got there, we saw Coleman leaving, when he was about a hundred yards from the lime-heap, going up a hill. We were from 50 to 100 yards from the lime-heap when we saw him. Moody was still there, and after some talk with him, I returned home, after trying to persuade Dow to go back with me and get his gun, which he refused to do, or even to go and get a pistol.

Dow went off towards the blacksmith shop. This, I should think, was about 11 o'clock in the morning, and I never saw Dow alive after that. I first heard of his death in the evening about four or five o'clock, when the sun was about half an hour high.

Mr. Gleason was the first man who told me Dow was killed. 1

learned from him that Coleman had killed Dow just above in the road. I understood from Mr. Gleason that Coleman had come down towards my house, with some persons with him, and I was afraid they would attack me, though I have since learned that I misunderstood Gleason. I remained in my house, expecting an attack, my wife having left for the neighbors', and I stood there, with my gun in my hand, about an hour. I had before this time become so uneasy about Dow's long absence, that I had come up from my house by the log-heap into the road, and went up so that I could see the blacksmith shop, and, as I afterwards learned, from 100 yards to 150 from where Dow lay dead. I saw Coleman, and five other men I did not recognise perfectly, come from towards Mr. Hargous's house across the road, near where Dow's body was lying. I took those with Coleman to be Hargous, Buckley, Moody, and two other men—I could not tell who they were. They went into Mr. Coleman's house. Then, as I stood watching the blacksmith's shop, I saw two men coming from that direction, and going by Dow's body within a few steps, pass into Mr. Coleman's house also. I saw no more stirring, and after waiting awhile, I went back home some other way; though I was afraid something had happened, or would happen, from what I had seen of the actions of these men. I did not know, at that time, that Dow was killed; and though I was near enough to have seen something lying in the road, yet, as I did not expect it, and my eye-sight was rather bad, I did not see anything.

Nearly an hour after Gleason had come to my house—and it was getting quite dark—Moody came to my house, and told me that Dow was killed. I asked him who killed him, and he said Coleman. I asked him if he saw Coleman do it, and he said he did. Then I asked him how far he, Moody, was from Coleman when Coleman killed Dow, and he said he thought he was pretty near a hundred yards off. Then I asked him how near Coleman was to Dow when he shot him, and he could not tell exactly; but it was not less than 25 nor more than 50 yards. Coleman was behind Dow, he said, and bursted a cap at him, without discharging his gun. Dow turned round, and he saw Dow raise his hand and motion with his finger to Coleman, as if he was talking earnestly to him; but he could not hear what was said. He said that Coleman put another cap on his gun after Dow turned round, and then raised his gun, pointed it towards Dow, and fired, when Dow immediately fell backwards, a little sideways, and he did not see him move afterwards.

I asked him what Coleman did then. And he said, nothing but to walk to his house. I asked Moody why he had not let me know about it sooner. He said he thought some of the rest of them had come down to let me know. I asked him who else was by when Coleman killed Dow, and he told me that Wagner was along with him. Moody and Hargous were a little behind. Then I asked young Hopkins, who had come to my house about the same time that Moody had, if he would go along with me. He said he would, and then I and Hopkins and Moody went up the road where Dow's body was lying. After we got there, Mr. Hargous and a young man, who I think was also named Hargous, came along with part of the running gear of a wagon

without the body, drawn by a yoke of oxen, and stopped where we then were.

The body was lying mainly north and south across the road, the head in the road near the centre, and the feet along a little angling towards the side of the road. His hands were lying a little from his body, as he was lying nearly on his back, but a little towards the right side; and the wagon-skane was lying on the fingers of his right hand, as it was lying open, with a leather glove on. Without examining his body, we put it on the wagon and took it down to my house. After we got there, we laid out his body and took off his clothes, and saw where he was shot.

There were nine slug holes, eight in his —— and one in his arm. One went into his neck—and there might have been two—and the rest in his breast, scattered from the pit of his stomach up above for fully twelve inches. We did not notice at the time that any went through the body; but when we took up his clothes, two or three slugs, I do not know which, dropped out. They were bloody, and had lint from his clothes on them. They were preserved, and my wife has them now. They looked as if they were not run, but cut off a square piece of lead, and then rounded a little. I should think they would have run about 100 or 150 to the pound.

We buried him the second day after he was killed. A good many neighbors gathered in, and were a good deal excited. But nothing particular happened before Dow was buried. There was some search made for Coleman, but he was not to be found in the neighborhood. There was a meeting at Hickory Point, the Monday following the funeral on Saturday. The neighbors had appointed to meet at my house on Monday to take some further steps to bring Coleman to justice. They met there, and went up to where Dow's body was found, and then examined some witnesses, but not under oath, and passed certain resolutions which were published in the papers shortly after. After that we separated and went towards our homes. I went home myself. It was then getting a little late, and I went to bed soon after I got home—I should think shortly after seven o'clock.

My wife woke me up. I do not know how long I had been asleep, but thought it was but a short time. I found that a good many persons were coming towards my house, and by the time I was fairly awake I heard a rap at the door. I asked who was there? and the answer was, "Friends." Before I could tell them to come in, the door was burst open, and the room was filled with persons. I had got out, and was sitting on the side of the bed, with nothing on but my shirt. One of them asked me if my name was Branson, and I said it was. He then drew his pistol, cocked it, and presented it to my breast and said, "You are my prisoner, and if you move I will blow you through. Don't you move." I went to stoop to get my pants, and he stopped me two or three times, saying, "Don't you move, or I will blow you through." I heard the others cock their guns, and I saw them present them to me all around me, except at the back of my bed, where they could not get.

After awhile they let me put on my pants and coat that lay by me, and then they marched me out, and took me off with them. They

were on horseback, and when we got out to the yard fence they told me there was a mule Mr. Coleman had been riding around, and now I might get on him and try him, and see how I liked it. They then took me, in the first place, up to Mr. Buckley's house. Buckley, and I think one or two others, then got off and went into the house, and got a bridle, and caught another horse. There were several trunks set outside the house; some of them were open; Buckley pushed one back into the house and said that the damned Yankees, or abolitionists, I do not recollect which, had been robbing his house, and that was the way he had found it when he got home. I saw none of his family. I think I should have seen some of them if they had been there; for I was sitting on my mule just before the door, and the moon was shining brightly into the door, which was open. After he caught his horse we went on to Mr. Freeland's house, I think, and then all got off but two, who were left to guard me, and went into the house.

They remained in there for some time, I think from half an hour to an hour. They brought some liquor out to the other men in a jug, and gave me some. I was almost frozen—very much chilled, as it was a clear cold night. When they came out they got on their horses, and came on to within half a mile of Blanton's bridge, across the Wakarusa. I did not count the company. Sheriff Jones, who called himself the high sheriff of this county—the one that first presented the pistol to me in my house and called me his prisoner—claimed to be the leader of the company. He never showed me his warrant, and did not tell me for what I was arrested, until a short time before I was rescued. He then rode up to where I was, and I asked him what great criminal act I had been doing, that he brought so many men to take me? He said nothing much, only he had a peace-warrant or two against me. I then said, it took a great many men to come after an old man like me. He said, "these men that came along with me we expected would have a little fun; we heard that there were about a hundred men at your house to-day, and we hoped to find them there to-night, as we wanted to have some sport with them;" and said he regretted they were not there, and that they were cheated out of their sport. I asked him, "how many are there of you?" There were only thirteen of them then; he did not say whether there had been any more. I did not count them, but I think there were thirteen there. I think there were a good many more at my house when they took me, but I did not see Buckley nor Salters after they got to Feelan's. Of those who were in my house I knew and recognised Hargous, Buckley, Berry, McDaniel, Wolf, Wallace, of the town of Franklin, Salters, and sheriff Jones. I had never seen Salters and sheriff Jones before, but heard their names called in the company by the rest.

When we were within about half a mile of Blanton's bridge, I saw some men who appeared to come from behind a house; and as we were going on at a pretty smart canter they stretched out across the road where we were, I should suppose about fifty yards from the house. Those men were on foot. Those men who were with me then spurred on, presented their guns, leaving me a little behind, until they got within twenty or thirty feet of those men, and as they

did not give way, they halted. I rode up to the party that had me with them. I heard Jones say, "What's up?" I heard some one from the other party say, "That's what we want to know; what's up?" I then spoke, and said: "They have got me here a prisoner." One from the other party said: "Is that you, Branson?" I said it was, and he told me to come over to the other side. Two men were by me then, and one said: "Don't you go, or we will shoot you." I told them to shoot if they wanted to, as I was going. I then rode forward, and got to the other company, and got off my mule, and asked what I should do with it. Some one said, "let it go to hell;" and I let go of it, and some one gave it a kick, and it went back towards Jones's party. Both parties stood there for some short time with their guns presented to each other. The party that I rode up to told me to go into the house, and I walked around the corner to the door and went into Mr. Abbott's house. I did not count the party who rescued me, but I thought the parties were about equal in number. After Jones's party left I saw six others come up, and I was told that three others had come up after I was rescued, before these six and while I was in the house. After the six came up I counted the men, and there were twenty-one besides myself.

All of Jones's party that were at my house were armed, as far as I saw, either with guns or pistols. The party that rescued me were armed—some with rifles, some with shot-guns, and some only had stones in their hands. One or two of them had pistols. Jones's party went off after I went into the house, and I saw nothing more of them. Abbott's house is about four miles and a half from Lawrence, and I should think it was five and a half or six miles from my house in a straight line; but the way we came it was eight or nine miles. Of the party who rescued me, I knew the names of some, but not all. Of those I knew were Mr. Wood, Mr. Abbott, Mr. Lock, and Mr. Hupp and son. I do not recollect the names of the others. Of those I name but one lives in Lawrence, and the others are farmers scattered around, living on the Wakarusa and Cole creek. Mr. Lock was at my house when Jones and his party arrested me, and started off and let the neighbors know of it; and as Jones and his party were so long on the way, the others got in the road ahead of them.

Coleman's house was burnt the night I was taken, and, as I was told, about the same time Buckley's house was, the same night. I do not know who burnt their houses, or who were engaged in it.

They have been frequently around after me since. Sheriff Jones has not been there, that I know of, but Mr. Salters has been, and, as I understood, to arrest me on the peace warrant. I did not happen to be at home when they called. I was not in Lawrence during the siege, as the people would not let me remain here, and I took no part in the affairs here. They never have charged me with any offences, so far as I know, except making threats about the murder of Dow. I never said anything about the matter, more than to agree to the resolutions passed at the meeting at Hickory Point. I never threatened any one, and never expressed any desire except that those engaged in the murdering of Dow should be brought to justice. Dow was a right peaceable man, and a good, quiet citizen; a man I thought

as much of as any I ever got acquainted with in my life. He never drank any liquor, and so far as I know, was never in any controversy with any one before the day he was killed. He told me a few days before he was killed that he would be twenty-seven or twenty-eight years old in a few days. He was unmarried. He boarded in my family, and we were all attached to him. I am a plasterer by trade, but follow farming now. I am forty-nine years old. I came from Huntington county, Indiana, here, but was born in Highland county, Ohio. Dow claimed the land the lime-kiln was on, and it was within the stakes of his claim at the time he was killed. I understood that Coleman claimed it also, coming after Dow did, having left a claim he was on when Dow came there, and moved his house over towards Dow's claim.

I do not know that Coleman has ever been arrested or examined for this crime, but I have heard that he gave himself up at one time. But I have never heard that he has been tried for his crime, and none of the others have been arrested. I have heard of Coleman being there backwards and forwards in that neighborhood several times since the murder, but I have not seen him.

Within a few days, I think last week, while this commission was here at Lawrence, Salters, with a detachment of United States troops, was at my house, as they said, to get me, but they did not find me. I saw the party coming towards my house.

JACOB BRANSON.

LAWRENCE, K. T., *May* 10, 1856.

L. A. PRATHER called and sworn.

To Mr. Reeder:

My residence is just a little west of the Shawnee reserve line, south-east of Franklin, perhaps a mile from where the Missourians camped last fall. The day before Branson was said to be rescued, Mr. Wallace, of Franklin, asked me to attend to his store, which I agreed to do. After I went to the store the next morning I went to the hotel and saw Mr. Jones writing. Mr. Wallace and myself went into the room together. Before we went into the room he had told me that Mr. Branson had been rescued from Mr. Jones and his posse, of which he was one, by thirty or forty men. He then told me that Mr. Jones was going to send to Missouri for aid, and it was suggested that we should go to Mr. Jones to try to stop it. Mr. Wallace expressed himself opposed to sending to Missouri. After we went into the room and found Mr. Jones writing, Mr. Wallace remarked to me, "Mr. Jones is now writing the despatch to send to Colonel Boone." Before going into the room I said, "Why not send to Governor Shannon?" I should think I was not more than two feet from Mr. Jones when he was writing what I was told by Mr. Wallace was the despatch to Missouri. The conversation was loud enough for Mr. Jones to hear, although the room was nearly as full of persons as it could well hold. Mr. Jones walked to the door, and Mr. Wallace and myself walked

out nearly at the same time. He gave the paper he had written to some man, either Coleman, Hargous, or Buckley, as the man was called by various persons in the crowd, but I do not know who he was. As the man started off with the despatch Mr. Jones said: "That man is taking my despatch to Missouri, and by God I will have revenge before I see Missouri." In the course of half an hour I saw another despatch start off, and Mr. Wallace told me it was a despatch to Governor Shannon to raise the militia for aid. I complained publicly of the despatch being first sent to Missouri, instead of to Governor Shannon. Afterwards a gentleman, I think called Hargous, started off, as Mr. Wallace told me, to take a despatch to Governor Shannon.

The next thing I know in connection with the war was a few days after this, not exceeding four days. I went up to Franklin, and saw a body of armed men from Missouri there; they told me they were under the command of Captain Shaw. I knew several of them personally. Amongst them was a Mr. Ralston, living just west of Independence, on the road to Westport; also a gentleman I had always heard called Dr. Henry; also a Mr. Lucas—I have always heard him called Lieutenant Lucas; and others whose names I do not now remember. They encamped there in Franklin, and after they had encamped, Mr. Salters, who was acting as deputy sheriff, came to me and observed, "Now I will have revenge upon Lawrence. There shall not be left one stone upon another." More and more came pouring into Franklin and vicinity for some seven or eight days, and perhaps longer, coming from the eastward, towards Missouri; and I saw but few companies that did not contain men I had known in Missouri. Several of them said they had come to serve Governor Shannon, if he would let them, and if not they would do their duty anyhow. After they had been to Franklin a little while they removed their camp to the Wakarusa. I was in their camp off and on a great many times. They were armed, I think, almost without exception, with rifles and guns, with pistols and bowie-knives. I saw a great many swords and two pieces of artillery, one of which I heard belonged to Missouri, as I had seen it there repeatedly. They told me they were organized in companies, but I did not see them parade. I saw them marked "A," "B," &c. They tried to raise a company of Territorial militia at Franklin, and did raise it; Mr. Leak commanded it, and I think Mr. Laley was lieutenant. Mr. Leak was a travelling gambler, and he told me so himself. I saw this company parade repeatedly, and heard the roll called. I did not see any other Territorial militia that I knew to be such, and I heard of none that were called such. These were quartered in Franklin. In the first place I was informed by Mr. Wallace that Mr. Jones was in command of these forces. Afterwards I was told by somebody else, I do not know who, that General Strickler was in command. I afterwards saw General Richardson, and I was told by himself that he was in command. Mr. Wallace told me that he was aid to Mr. Jones, and that was the office he claimed to hold all the time.

The Mr. Wallace I allude to is Mr. John M. Wallace. I went with him several times to the camp, but did not see him exercise any com-

mand there. After the camp was moved to Wakarusa he appeared to take command in Franklin, or the direction of affairs in general. The officers of the Franklin company of militia went to him for directions. They got some of their supplies from the store, and also a parcel of rifles that were in the store.

Mr. Wallace told me he aided Mr. Jones in arresting Mr. Branson. Mr. Wallace brought me a written note from Governor Shannon, requesting me to call upon him immediately at Blue Jacket's. After I received that note I went forthwith, within five minutes, to Governor Shannon at Blue Jacket's, at the Wakarusa crossing. The governor wanted to know what had transpired in public meetings here in Lawrence, which he had heard I had attended; and whether threats had been made against sheriff Jones, or any other person of the government. After that conversation nothing important happened before I left.

I saw persons in that camp who told me they were of the Wyandott tribe of Indians, and I knew them to be Indians, as far as I could judge. There were two Indians I am acquainted with in the company at Franklin, of the Shawnee tribe. When I saw the Wyandotts they were in their camps cooking their dinner; and I saw arms lying about their camp, which was separate from the others. I do not know whether they were their arms or not. I saw a man meet at least three Indians of the Delaware tribe, as they said, and pour into the hands of one of them some bullets, and tell him he wanted him to save a Yankee scalp for each bullet; and he promised to do it. The same man—I think his name was Joseph Morris—took the Indians' bottle and got it filled, and brought it back to them. While he was gone the Indian told me, "Me no kill Yankee; me want to get whisk."

Mr. Wallace never brought me any messages from Mr. Jones. I do not recollect that he ever brought me any messages from any one but Governor Shannon, during those difficulties. He expressed a decided determination to come with the Missouri troops to Lawrence, and die with them, if necessary.

Guards were stationed by some person within eighty or one hundred yards from my house, at my ford, and there was no other ford along there but the one I had made for my own use. From about sundown to sunrise I was prevented from passing that ford, as were visitors to my house. This was not the case in the day-time. I lost a cow and calf during that time, and considered that it was because I could not attend to my cattle as usual, on account of my being prevented from doing so by this guard. Of a night, they prevented my going home from Franklin, where I was accustomed to be in the day-time, though they did not prevent my going to Franklin from home in the day-time. I was doing business in the store, and wanted to go home after dark, and the officer refused me leave to do so. My mail matter came here to Lawrence, and they turned me back twice when I started to come after it. Captain Leak refused to grant me a permit to come, saying that the reason was, because I was seen talking to Dr. Robinson just after the troubles broke out. I complained to Mr. Bledsoe, who claimed to be captain of the guard, of the treatment I had received,

and threatened to appeal to the law ; and he said, " By God, I would like to see you get any benefit from the law against us." He used a great deal of rough and abusive language to me, and treated me somewhat contemptuously when I claimed to be an independent citizen. I know of no depredations committed in the neighborhood, except as regards myself, though I heard of a great many.

A gentleman with whom I was acquainted being in this place, Dr. Wood fell in with me and Mr. Wallace, as we were riding into camp, where Governor Shannon had sent a message to me. Dr. Wood told us that General Richardson and his retinue had come down from Le-compton ; and that at about three or four miles above Lawrence there were two men riding across the prairie, and that Mr. Clark, and Burns, of Weston, Missouri, rode out and headed them off. After they had passed out of sight, General Richardson directed Dr. Wood himself to go and call Clark and Burns back, for fear they would get into a difficulty. The doctor said that as he rode over the hill, he saw Mr. Clark and Burns, and one of the two strangers, popping away at each other with pistols. After three or four fires each, he saw the two men leave Burns and Clark, and gallop away, and that Burns said he had struck one, because he had seen the fur fly from his coat-back as he turned his back upon him. I was introduced to Major Clark after supper, and heard him telling the thing over. He told it about as Dr. Wood did, and added, " we gave one Yankee his winter quarters, for I saw him reel on his horse." Dr. Wood distinctly disclaimed participating in the firing at all. I heard another man talking the same evening, who confirmed the statement made by Mr. Clark.

Cross-examined by Mr. Woodson :

The first conversation I had with Mr. Wallace, that I have mentioned, was about the latter part of November, and some ten or twelve days before the close of the war. It was the morning I was told Branson had been rescued the night before. The conversation began in the store of Mr. Wallace, and Mr. Charles, of Franklin, and we continued talking until we got to the tavern, which was nearly opposite. Mr. Joseph Norris, Capt. Leak, and perhaps Mr. Crane and his son, I am not certain, were in the room when Mr. Wallace told me Mr. Jones was writing a despatch to Missouri. The man who told me he was Bledsoe, I understood from some one else, was from Cass county, Missouri. When I demanded his name, he said it was Bledsoe, and said, " I command the guard." I believe I have heard him called Colonel Bledsoe, though I will not be certain. Mr. John M. Wallace brought me the message from Governor Shannon. When Major Clark was talking about the shooting of Barber, it was at Blue Jacket's, and there was a crowd there, but I cannot tell who were there.

To Mr. Reeder :

When I heard that General Pomeroy was a prisoner, I asked Mr. Ralston, Capt. Shaw, and others, to see him, and they refused to let me see him, saying that there was a secret organization, and I might

be a damned spy, and get some secret sign from General Pomeroy, and post off to Lawrence with it.

L. A. PRATHER.

LAWRENCE, K. T., *May 1, 1856.*

CHARLES ROBINSON, recalled.

To Mr. Reeder :

I heard about the last of November of a murder or homicide about ten miles from here, near Hickory Point. A few days after, I heard of a meeting to be held there to take that affair into consideration. The night after the meeting, a party of about a dozen men called at my house, perhaps about four o'clock in the morning, and with them was a man called Branson, whom they said had left sheriff Jones. They stated the circumstances of Mr. Branson's arrest, as they understood them, and the circumstances of his leaving the sheriff. I told them it was a matter of their own, and they could not expect me or the people of Lawrence to have anything to do with it. They passed on to the village, and I afterwards met them there. They were talking of having a meeting of the citizens when I saw them again; I told them I thought such a meeting would do them no good, and discouraged it. I left the village, perhaps it was six or seven o'clock in the morning, and did not return until nine or ten o'clock. When I did return, I found a gathering in the hall; I found the meeting had been in session some time; that they had appointed a committee of ten, I think, and I was one of the number. I was notified by the chairman of my appointment on the committee, and immediately proceeded to a private consultation of the committee. It was decided by the committee, that we had nothing to do with the affair, and that we would, as individuals, say as much to parties concerned. The committee reported to the meeting a brief statement of our condition. The following is, I think, substantially the report made by Mr. Lowry, as published in the papers :

"We, the citizens of Kansas Territory, find ourselves in a condition of confusion and defencelessness so great, that open outrage and midday murders are becoming the rule, and quiet and security the exception. And whereas the law, the only authoritative engine to correct and regulate the excesses and wrongs of society, has never yet been extended to our Territory—thus leaving us with no fixed or definite rules of action, or source of redress—we are reduced to the necessity of organizing ourselves together on the basis of first principles, and providing for the common defence and general security. And here we pledge ourselves to the resistance of lawlessness and outrage at all times, when required by the officers who may from time to time be chosen to superintend the movements of the organization."

In consequence of the threats said to have been made by Mr. Jones and his party at the time Branson left him, and other indications that had been received from different sources, that the people of Mis-

souri would assail and destroy our town and citizens, the committee was appointed by the meeting as a committee of safety.

Nothing more of importance occurred in the place for a few days, excepting that reports were continually coming in that we were to be invaded and our place destroyed.

The first action the committee of safety took, was to organize the citizens in guards, so far as to have them enrolled, and their places of residence ascertained, that they might be called together upon short notice. The people from Missouri began to arrive in our vicinity—the first company, I think, at Franklin—and to commit depredations on travellers, and other citizens of the Territory.

The Leavenworth Herald was received about that time, containing a very inflammatory article, and an appeal to Missouri for assistance; also a copy of a letter, said to be from Secretary Woodson, calling indirectly upon the riflemen of Missouri; and in a day or two after the governor's proclamation accidentally came into the place. It appearing evident that an attack was to be made in a short time, the committee of safety organized a regiment of citizens. During this time the committee endeavored to ascertain the objects of the invading forces; what the sheriff wanted, and what the governor intended to do. No officer communicated with us, or made any demands upon us whatever. The sheriff was asked in my presence, when threatening the people of Lawrence, what he wanted; he replied that he would let us know when he got ready. A letter was written to Governor Shannon, of inquiry, a copy of which is, I believe, on file here, in what we call the adjutant's office. He informed the messenger that he would visit us very soon. We received word the next day after the messenger returned, that he was at Franklin, or at Blue Jacket's, I am not certain which. Before we received word from him, I think he set the time at which he would be at the camp on the Wakarusa, and Mr. Winchell visited him there; and he then informed Mr. Winchell that he would visit us the next day, and let us know when he was ready to come into town. This I learned by report. We were notified that he was at Franklin, and desired an escort into town, which was sent to him under the direction of Mr. Lowry.

The governor arrived in town soon after, accompanied by some of his friends from Missouri. He was taken into the room of the committee of safety, introduced to some of our citizens; after which we held a private interview in an adjoining room—Colonel Lane and myself acting for the people of Lawrence. He then stated that he was satisfied he had misunderstood the people of Lawrence and the Territory, and that we had violated no law as a people. He also stated that Mr. Jones, and others, had made certain representations to him which he was satisfied were incorrect. He expressed regret that the people of Missouri were here in such numbers; said he feared he could not control them, and he dared not close negotiations that day. He was very desirous that Colonel Sumner, with his forces, should arrive to prevent a collision. He said if he should close negotiations that day on any terms honorable to us, the people in camp would raise the black flag and march upon the town. The remainder

of the day, until towards evening, was spent in conversation upon various topics, and that evening he returned to camp. He was invited to remain during the night, but said his presence was necessary in his own camp to keep the men in subjection. He promised, however, to return the next day at eight o'clock, when he confidently expected Colonel Sumner would be here.

That evening a sub-committee drew up a paper as a basis of settlement with Governor Shannon, as he had expressed a desire that such a paper should be drawn up and signed by the parties. The next day the governor arrived here about ten o'clock, and immediately went into conference. He had a paper that he had drawn up which he wished to be signed as a settlement of the difficulties. I showed him the paper drawn up by our committee, and preferred he would take that as a basis, as it would be more likely to give satisfaction to our people, they having discussed it and agreed to it. He expressed no particular dissatisfaction with the paper, as far as he was concerned, but said he wanted something to satisfy the people in the camp. I asked him if they were not under his control; and if so, what they had to do with the settlement. He said that the posse would obey orders, and he could control them, but they formed but a small part of the forces on the Wakarusa and at Lecompton. He thought they would demand that we should be disarmed, and we made to pledge ourselves to recognise the laws of the Territorial legislature. I told him our people would never consent to any such arrangement, particularly while an armed force was in our vicinity which he said he could not himself control. He said that for himself he would be satisfied without any paper. All he wished was that the laws common to all countries, especially the criminal laws, should be observed; and he was satisfied, from what he had seen, that the people of Lawrence would respect them; but he must satisfy the people in the camp. After arguing the matter, that we had nothing to do with the people in the camp, that we recognised him as our governor, and that if we satisfied him they had no right to complain—also assuring him that if he would disband the forces on the Wakarusa, and accept of us as his command, we would risk the consequences—he concluded, finally, to agree upon an arrangement between ourselves that should not be reported to the camp on the Wakarusa until they had left. He then took the paper drawn up by the committee, rewrote it, made some verbal alterations and added one or two sentences, and said he would be satisfied with it in that form. The alterations, or the wording, was such as to leave a question as to the meaning, or the extent of the meaning of certain words; and to avoid any misunderstanding, I requested an additional sentence in regard to the Territorial laws. He readily assented to it, saying he did not ask us to endorse those laws.

After the paper had been signed, he requested that the committee from the people here should visit Franklin and meet some of the captains of the forces there, as he feared he could not pacify them by anything he could say. Accordingly, Colonel Lane and myself returned to Franklin with him. He made quite a lengthy argument or speech in favor of their returning without our giving up our arms or

being dispersed, saying he had no right to demand our arms or dispersion under the circumstances. Colonel Lane and myself also stated how affairs were as we understood them, and most of the captains appeared to be satisfied to return home. This was on Saturday night.

On Sunday the governor visited us again, dined with some of our citizens, and was apparently well pleased with the arrangement and with the citizens. In the evening reports came in that the forces that had been disbanded were reorganizing, and determined to make an attack upon the town. I informed Governor Shannon of the reports, and requested, as we were without authority, that he should give us authority to protect ourselves and the town. He readily assented, saying if I would write a paper to that effect, he would sign it. I did so, and he signed it. I have the paper with me.

[The witness produced the paper, which is as follows :]

"To C. Robinson and J. H. Lane, Commanders of the enrolled citizens at Lawrence :

"You are hereby authorized and directed to take such measures, and use the enrolled force under you command in such manner for the preservation of the peace and the protection of the persons and the property of the people of Lawrence and the vicinity, as in your judgment shall best secure that end.

"LAWRENCE, December 9, 1855.

"WILSON SHANNON.

"Witness :

"A. ALLEN."

Reports continued to come in during the next day that the disbanded forces were still meditating an attack. Scouts were sent out in various directions to ascertain the truth of said reports, and found that the Missourians had left the Territory. On Monday evening there was a peace party, to which persons of all parties and distinctions were invited. Next day, Tuesday, the companies were formally dismissed, and went about their business.

There never was a process in the hands of sheriff Jones against any one in Lawrence or vicinity, to my knowledge, previous to this invasion, and, consequently, no resistance. I know of no such resistance, and heard of none ; and believe if there had been any I would have heard of it. I stated the same to the committee of captains in the presence of Mr. Jones, and some one of the captains, I think it was Colonel S. H. Woodson, asked Mr. Jones if such was the fact that no arrest had been attempted in Lawrence, and he said it was ; Jones said it was the fact.

There had been no crime or disturbance of any kind, to my knowledge, prior to that, unless it was petty theft, except assaults made by pro-slavery men upon free-State men, growing out of political difficulties and street quarrels, perhaps, of which no notice was taken. I know of no constable's warrants under the Territorial laws.

From the best information I could get, there was something like fifty residents of this Territory in the camps. This information was derived from report. A majority of the committee of captains were

from Missouri, as I understood ; several I knew were from Missouri. Colonel Woodson was one of them. I met Mr. Coleman, the one charged with the murder of Dow, there, and understood he had a command.

To Mr. Howard :

It had been reported ever since I came into the Territory that we were to be driven out of the Territory—all that came from the North. I know of no reason for the hostility to Lawrence. I never knew that sheriff Jones had been badly treated by the people of Lawrence up to that time.

To Mr. Sherman :

Our defences were made here for the purpose of resisting the invasion which we understood was directed against Lawrence.

Mr. Dow was not connected here with the people of Lawrence that I know of. Hickory Point is a detached settlement, having no connection with Lawrence. I do not know that Dow had ever been here, nor, to my knowledge, had he any connection with any company or society here. I suppose the people of Hickory Point do their trading at Kansas City and here.

Some two or three days after the rescue of Branson, I saw S. N. Wood, who claimed publicly, and everywhere, to be one of the party connected with the so-called rescue of Branson, walk up to Mr. Jones and shake hands with him. Mr. Wood, and others, told me that he invited Mr. Jones to dine with him. Mr. Wood told me that it was done for the purpose of allowing himself to be arrested, and testing the validity of the Territorial laws. I had had a previous conversation with Mr. Wood upon the subject, and we agreed that his was a proper case, and he was a proper person to test the validity of the Territorial laws in the Supreme Court of the United States. Everything was perfectly quiet in Lawrence at that time, and Mr. Wood could have been arrested without any difficulty, in my opinion. I would have been one of a *posse* to have arrested him had any one interfered. I am satisfied it was Wood's design to be arrested.

After the excitement had increased, and a large party had encamped in our vicinity, it was not thought safe for any man in Lawrence to be arrested, and Mr. Wood had left the town.

To Mr. Reeder :

I am not able to give any accurate estimate of our losses. The detriment of this invasion, to the community, was very great. Business was generally suspended in this part of the Territory. No business was transacted of any account. Men were taken from their business and engaged in defending their property from this invasion. The detriment was unusually great, in consequence of the lateness of the season, it being the time when crops were gathered, and houses prepared for the winter. Immediately after the invasion, cold weather set in, which continued severe throughout the winter, preventing the use of mortar and other materials necessary for finishing, and delayed a

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great deal of work, which, in consequence of cold weather, could not be done until spring.

The consumption and destruction of corn and hay, and other articles, by the invading forces, was very great for a new settlement. There has been very much suffering of individuals and of stock in consequence. Quite a number of the inhabitants from the neighboring settlements were in Lawrence during a part of the invasion, and had to be supported by the citizens of the place. Many of them came in for the purpose of defending the town, and others came in for protection.

Many horses were lost ; some were known to be taken by this force. Corn and potatoes were taken by them for their use, and hay was destroyed. I believe that during part of the invasion all wagons were stopped on the road, many of them overhauled, and such of their contents as they desired were taken out and retained. The people were arrested in going to and from the place, on their business, and Lawrence was, in fact, a besieged town to all intents and purposes.

C. ROBINSON.

LAWRENCE, K. T., *May 3, 1856.*

G. P. Lowry called and sworn.

To Mr. Reeder :

I returned to Lawrence about the 25th of November, and the first day I returned I heard of the great excitement at Hickory Point about the murder of Mr. Dow. On the Monday following the 25th a meeting was called at Hickory Point to take some measures to investigate the circumstances, and to express the opinion of the citizens concerning the matter. I was not present there, but remained here in Lawrence, and was wakened quite early on Tuesday morning by a noise in the streets and by the beating of a drum, and getting up and inquiring I learned that Branson had been rescued from sheriff Jones by a party who were returning from the meeting at Hickory Point. I know that Mr. Branson was in town that morning. In consequence of the rescue of Branson, and the threats that were understood to have been made by sheriff Jones against this town, the citizens called a meeting. They met at 8 o'clock, to consider the affair and see what could be done towards the protection of the town. There were present persons who were said to have participated in the rescue of the night before. They were called upon to give a statement of what had occurred and what had been said, which two or three of them did. Mr. Branson in particular was called out, and he detailed the manner of his arrest by Mr. Jones. What was said by him and was said by others who were present at the rescue in regard to the threats of Mr. Jones, was sufficient to satisfy us that there was danger of the destruction of the town, and we commenced taking measures for its protection. At this meeting some person, I do not recollect who, offered a resolution endorsing the action of those who had rescued Mr. Branson, and, if I recollect right, it was unanimously rejected. It was

generally said by those who had addressed the meeting, and the general sentiment of those there was, that we had nothing to do with the rescue at all. They refused to endorse the rescue, and finally appointed a committee of ten to confer upon what steps should be taken, and details entered into in regard to the defence of the town. The committee met and agreed upon a report, and made it in the afternoon to an adjourned meeting. A part of the report was in writing and a part was not. The latter part of the report was, that the citizens should complete an organization to act in connection with one or two military companies then in town, for the purpose of defending the town. A paper, which is on record, was presented for each one to sign who chose to do so. Another portion of the report, unwritten, was the election of a person to act as the general head, and make it his business particularly to superintend the completion of this proposed organization and its operation when completed. This organization of citizens was recommended by the committee to hold themselves separate from any other organization, so that they might take part in the defence of the town or refuse to take part in any active demonstration as they thought proper. The report of the committee was received and adopted, and, by another vote, the committee was continued under the designation of the committee of safety. I was chairman of that committee. The meeting adjourned, and signatures were obtained to this paper, and nothing more said or done publicly on the subject of the difficulties for three or four days. Nothing was said by the committee until three or four days afterwards until we heard, from persons coming through from Kansas City, that forces were gathering on the Wakarusa and about Franklin, and that they had been stopped and maltreated, and the town threatened by these forces. Upon those reports a meeting of the committee was called, this paper, with the names attached brought up, and it was determined then, I think, for the first time, to divide the persons whose names were thus attached into small squads, who would know each other and act in concert in case of attack, under the command of some person agreed upon. These squads were from ten to twenty persons each when first organized. In consequence of this there was no interruption of the ordinary business of the town, though by this arrangement they were to be ready at any moment to defend themselves.

From the time of the first report of the assembling of persons on the Wakarusa and at Franklin, travellers were continually coming in with like reports, and on Friday night a party of twelve or thirteen persons came into town from Ottawa creek to join us. That was the first notification I had that the people in the county were aware that we were menaced. As far as I know, they came of their own accord. The news and excitement then seemed to spread over the country, and from that time our parties were coming in from parts of the Territory quite distant. On Sunday a party of gentlemen arrived from Leavenworth, for the purpose, as they said, of seeing if they could not prevent a collision, and preserve peace in the Territory. They met with the committee of safety and some other persons, and upon consultation we found they were under a misapprehension as to our position. We told them we were organized for the sole purpose

of defence against any persons who should assault the town under any pretext. They came here to expostulate with us, but found that they were mistaken as to what we had been doing. They brought with them a copy of the governor's proclamation calling out the militia of the Territory, and that was the first we had seen of it. A committee was then appointed, but I do not know whether by this committee of safety or by a public meeting, to prepare a statement to the public in answer to the governor's proclamation, which they did. What we did was upon our understanding that not the Territorial militia alone, if at all, were coming to assist the sheriff in making arrests, but that he was to be assisted by large numbers of Missourians, who made this a pretext to carry out designs that had been attributed to them. Before this, persons who were alleged to have been engaged in the rescue were notified that the town had nothing to do with their quarrels and their matters, and that as it was not our duty to make arrests they were at liberty to go where they chose; but, if they remained, the town would not engage to defend or protect them in any way. I do not think any of those persons remained in town more than two or three days after the rescue of Branson. To the best of recollection they were not here when the organization was going on and being completed. On Sunday evening about the largest party came in from Topeka that had come into the town up to that time. They consisted of about one hundred men. The number of persons here had then got so large that the plan of the organization for defence was changed. The committee of safety concluded to form a regiment of the men, and the command in chief was given to Dr. Charles Robinson, and Colonel James H. Lane was made colonel of the regiment. These little squads were then united, and made into companies, each under the command of a captain. I had had the command of a squad up to that time; but I left it when it became incorporated into a company, of which I had command, and became aid to General Robinson.

The regiment was fully officered, and the meetings of the committee of safety were thrown open to all officers of the rank of captain, and above. General Robinson, by virtue of his office as commander-in-chief, presided at the war councils, and I ceased to be chairman of the committee of safety from that time. There had been drills before this. I drilled my company on a Sunday, as I believe did the other captains of squads; but the Monday afternoon after the regiment was formed we had a regimental drill. This continued until Wednesday; we had constant drills. Persons were coming in reporting that the country all around was occupied, hay-stacks burned, corn and cattle taken, and houses searched; and travellers came in saying they had been stopped on the road; and teamsters who had been coming with goods came in without them, saying that the boxes had been broken open, and the goods retained in a number of instances.

On Wednesday night, at a meeting of the war council, it was decided to send to Governor Shannon, and also to send memorials to the President of the United States and to Congress. I was sent in company with Mr. C. W. Babcock, of this place, to Governor Shannon, with a letter. We were told to state to Governor Shannon what

was going on here, what was our position, and what had occurred upon the other side, presuming that he might be ignorant of it. We started about 1 o'clock of Thursday morning, and passed outside of the two lines of sentinels belonging to our town; and, after passing our picket-guards for perhaps half a mile, we met, two miles this side of Franklin I should think, six horsemen, who challenged us, and said they were the picket-guard of the Wakarusa camp. They challenged us to advance and give the countersign. We got the *cork* out of the only countersign we had as soon as possible, and that passed us that guard. There seemed to be a very good state of feeling there about that time. They questioned us as to where we came from, and we refused to answer any such questions, except in the manner I have mentioned, as I supposed we had not got to the guard where it was necessary to state where we came from. They told us we would have difficulty in getting across the Wakarusa bottom, and that they thought we had better go back; that we would have two lines of sentinels to pass before we would reach the camp. We passed them and went on to Franklin; and the two men standing guard there knew us, and wanted to know where we were going; and Mr. Babcock said it was getting to be dangerous up here, and he had made up his mind that Illinois would be a safer place until this trouble would be over. They said they thought the abolitionists were pretty badly scared, and our going was another evidence of it; but notwithstanding that, we could not go by them. We told them we did not care particularly about going by, if Franklin was as safe as Illinois; but we did not think that, and wanted to go by. They said that the captain—I think they called him Captain Leak—was asleep, and they would go and find him. They went for him, and came back and reported that he was drunk and they could not wake him up. They did not know what to do, but thought they would let us pass on the strength of their personal confidence in us. We passed them and went down across the Wakarusa bottom; and just as we got into the timber, trotting along our horses, as it was quite dark, the first thing I saw was a man on a spotted horse, who met us and ran straight into us. Whether he was one of the guard or not, I do not know; but a foot-guard appeared at that time and challenged us. We told them we were going through on business, and did not expect to have the countersign, but thought some of our friends in the camp, whom I named, would pass us through. They said they did not think we could pass on the word of any one, and took us prisoners and conducted us down in the woods about a quarter of a mile, and the man who had charge of the guard, who was very polite, said he would go and see if he could find the person I had named.

While he was gone I reconnoitred a little, and found one piece of artillery, with a guard sitting on it asleep. I went up to him, as I thought I would spike his gun, having the tools in my pocket; but thinking it was rather risky, as the guard was just coming back, I returned to where we had been taken; and the officer of the guard came back and conducted me to where Dr. Henry, of Independence, was. Dr. Henry had been in town here before this with one other gentleman, and had seen the committee of safety, and had said they

had been brought here from Missouri by false reports, and if they had known how things were here they never would have come. I think I had passed him out of our lines once or twice, and he returned the compliment by telling the captain of the guard to let us pass. He then conducted me back to where Mr. Babcock was, and took me down to the ford, where we had to pass one guard.

In going down with this captain of the guard, we had some conversation, and he seemed to be a very honest kind of a man, and we discussed the difficulties, and he said it was a lamentable state of affairs, that American citizens should be fighting each other. They were very particular as to the number of guns and men we had here at Lawrence, and he asked what flag we had here, and I told him the stars and stripes all the time. He said he was glad to hear that, and should report it to his friends, but that the people of Lawrence had behaved very badly; that he had heard we had a red flag here, and had built a hotel with port-holes, and western people did not like that. That seemed to be all the grounds he had for going to war with us. I told him the stars and stripes was all the flag we had here. We passed that guard with some little difficulty. We then had to go down the hill very slowly to the ford, as it was very steep, and the guard called out to us several times, and said something about firing. After we had passed Little Wakarusa, and perhaps Kill creek, while it was so dark that we could just distinguish objects, we began to meet men on horseback and mules, whom, in most instances, we could see had guns thrown across the saddle. There were also some on foot. We told them along at first that they had better hurry up, as we had just come from camp, and the Yankees were going to attack the camp, and would wipe them out. But they soon began to get too thick for that sort of joking, and we then went along very politely. Just before daylight we passed one encampment, in which everybody seemed to be astir, and they came out into the road a short distance to meet us, and we stopped to talk with them. I recognised John H. Brady, who was the public printer of the Shawnee Mission legislature. He recognised me, and when he heard me say that I did not consider it safe for him to come up here, he called me by name, and said they could not let me pass. He then recognised Babcock, and was more certain we could not pass. He said this damned Governor Reeder had been the cause of all this trouble, and they must have his head, if they had to go to Pennsylvania after it. Mr. Babcock expostulated with him, and told him that he thought that Westport was altogether wrong in insisting that Pennsylvania should give up Governor Reeder. The men who were with them began to gather up there, and as they seemed disposed to be more in earnest, we came away as soon as possible. At Mill creek we passed another encampment while they were eating breakfast; and one man was so drunk that he was holding on to the wagon-wheel with one hand, with a big piece of corn bread in the other. He said they were going to bring "Lairrance," sure. We stopped at Donaldson's for a time, and from that place down to Shawnee Mission the road was full of men, who were all armed. There were one or two carriages, on one of which was a trunk, on which was the name of some person,

I do not recollect what, and "Lexington, Mo." We got to Shawnee Mission a little after sunrise, and presented our letter to Governor Shannon, and he read it, as it was very short, and then we conversed upon the affairs here.

I do not know whether that letter is anywhere in existence now. I wrote the letter, and it was signed by Governor Robinson, Colonel Lane, Mr. Deitzler, myself, and four or five others. The contents were, that he might not be aware that there was a large mob collected on the Wakarusa, who were stopping travellers and goods, and plundering the country; and that we took that means of informing him that that was the fact, and that they claimed to be there by his requisition; that we wished to know if that was the fact, that they were there by his authority; and, if so, whether he would remove them, and prevent these depredations, or compel us to do it ourselves, by resorting to other means or higher authority.

[The contents of the foregoing letter were given by consent.]

Governor Shannon said he would answer the letter, and we went out while he was doing so. When we returned, we had a long conversation concerning these affairs. He said there had been sixteen houses burned here by free-State men, and women and children driven out of doors. We told him we were sorry that he had not taken pains to inquire into the truth of the matter before he had brought this large force into the country, which, perhaps, he could not get out again; and that his information was wholly and entirely false, as nothing of the kind had happened. We told him of what we knew, of our personal knowledge, of men from Missouri being there; and he was not inclined to admit, at first, that there was anybody from Missouri there. He made a general argument against the free-State men, and quoted their resolutions, passed at different meetings, in regard to the Territorial laws. We explained to him that the Territorial laws had nothing to do with this case; that we were getting ready at Lawrence to fight for our lives, and the only question was, whether he would be *particeps criminis* to our murder, or the murder of somebody else, should we be all slaughtered. We explained to him, that the rescue upon which he based his proclamation took place a number of miles from Lawrence; that there were but three persons living in Lawrence who were alleged to have had anything to do with it, and that they had left the town, and were not there at all; that from what we could judge of the intentions of the force at Wakarusa, at Leecompton, and in the country about, from their own declarations, they intended to destroy the town for a thing in which they had had no part or parcel.

We took our individual cases as instances that we had not been present at the rescue; that we did not undertake to have any sympathy with it, or talk about it at all; but that if we were to submit to the force which he had called in, all our throats would be cut together—the innocent and guilty, if there were any guilty. He then denied that these Missourians were here by his authority; that he had anything to do with them, or was responsible for them. He said he had communication with Colonel Sumner, of Fort Leavenworth, and had sent an express for him to meet him that night at Delaware

ferry, and go with him to the camp on the Wakarusa. He said he should go to Lawrence and insist upon the people agreeing to obey the laws, and delivering up their Sharpe's rifles. We denied his right, or the right of anybody else, to make such a condition of a community, or make any such demand of them, until it had been shown that they had resisted the laws, which they had not done; that there had been as yet no proceedings in Lawrence under the Territorial laws, and he had no right to presume there would be any resistance to them when they were instituted. He gave up that point after some argument. I asked him, then, why he insisted upon the giving up of Sharpe's rifles, and if he meant to demand, too, western rifles, shot-guns, and other arms. He said he did not intend to demand other than Sharpe's rifles, but should demand them because they were unlawful weapons. After some time, he then said they were dangerous weapons; to which I agreed. I then told him, if he had any such idea in his head as that, he had better stay away and let the fight go on, as I thought the thing was not feasible, as he would do no good by coming here, if those were his terms. I told him he might as well demand of me my pocket-book or my watch, and I would resent the one no more than the other. I told him I did not consider myself safe, or that General Robinson or Colonel Lane would be safe, in going before our men with any such proposition. He then gave us the letter he had written, and we started for Kansas City to change horses.

Just as I drove into that town I met a man whom I recognised, who came up to me, and, pointing to the road, asked me if I saw anything. I looked around and saw a man driving a team, hauling a wagon which I had no doubt contained a cannon. It was going in the direction of Wyandott ferry, and we started after it as soon as we could change horses. As we passed through Westport, going from Shawnee Mission to Kansas City, I saw a large crowd, of whom Allen McGhee seemed to be the leader. They were drinking, and getting ready to go up to the camp at Wakarusa. Several whom I knew came up and talked to us, and said they were "going to wipe the damned town of Lawrence clean out this time, and no mistake." None of them said anything about the laws or the rescue—only the opportunity to wipe out the inhabitants. We knew we would have to pass this party going up their road, and they would be likely to stop us, and we determined to cross the Kaw river and go up on the north side. After we got started we were delayed so much, that by the time we got out of the Wyandott timber, on the Leavenworth road, it was dark, and we were obliged to stop and get a guide, which we procured—an Indian; and on the way up we saw a number of encampments on the north side of the river, which we avoided.

When we crossed the military road from Leavenworth to Delaware ferry, we inquired whether Colonel Sumner or any dragoons had gone down to the ferry, and we were told they had not. We got through to the ferry opposite Lawrence about four or five o'clock in the morning. We did not overtake the cannon at all. The town site seemed to be covered with what we called watch-fires; and we found, when we got across the ferry, that the fortifications which had been deter-

mined on before we left had been commenced, and that the men were working night and day upon them. We reported ourselves at once to General Robinson at headquarters, and gave notice of the approach of this cannon, and our fears that it might fall into the hands of the opposite party. A detachment of horse was sent across the river, under the command of Colonel Blood, to meet it, and they did meet it, and brought it in here. During the time we had been gone the different bodies of the opposing army had been very much increased. The fortifications were pushed on here vigorously, everybody working night and day, with very little sleep and very little eating. About this time it was that the man in command of the picket guard in the day time came in and reported that a wagon-load of powder was going up the road, marked for ———, and he wanted orders to stop it, as he suspected it was going to Leecompton. General Robinson said "No," we wanted nothing but our own; and even in this extremity we could not consent to adopt the same policy with the other side in regard to goods in passing.

At this time, sheriff Jones, officers from the other camp, and anybody who chose, were passing into the town and being passed out beyond our guard at all times. It was urged very strongly by some that we should put the town under martial law. Many of us were opposed to going to that extent, but the guard were instructed not to stop anybody, but to accompany everybody in and report him to the captain of the guard. It was about this time that sheriff Jones was one day escorted in. I met him that day at Mr. Christian's office, and he was very much excited about it, and seemed very much displeased at the arrangement Governor Shannon was ready to make. It was on the day I returned, I think, that Thomas Barber and his brother, and his brother-in-law, left town to return home. The report came in the evening that Barber had been killed. A company of horse was sent out the next morning for the corpse, and they brought it in. I saw the body, and examined it. The wound was just about the hip-bone, on the right side, I think. He was put in a room up-stairs, in the house we are now in, and shortly afterwards his wife was brought in, and her cries were so loud it was impossible to prevent the men from hearing them, and they declared they would leave the town and attack the camp; and the company especially to which Barber belonged was almost ready to revolt. My impression is, that a conspiracy of 100 men, to leave here without orders and attack the camp on the Wakarusa, was found out shortly after Barber was killed, and put down by General Robinson.

The morning that Barber was brought in, Governor Shannon sent his aid, Mr. Kearney, of Westport, to town, to inform us that he was waiting at Franklin for an escort to accompany him into this place. Ten gentlemen were selected from the staffs of General Robinson and Colonel Lane, and sent to meet him; the command of which was given to me. We found him at Franklin, and told him we were simply a committee of escort to conduct him into town. We brought him in along with Colonel A. G. Boone, of Westport, and a captain, whose name, I think, was Stiger, and Mr. Kearney, aid to the governor. We were met outside of the town by General Robinson,

Colonel Lane, and other officers, and Governor Shannon was brought to this hotel, conducted to the room of the committee of safety, attached to which was the general's headquarters. The committee of safety had voted the night before to give to General Robinson, and, I think, Colonel Lane, the conducting of the negotiations. I was in the room once or twice that day, but of what was said or what took place with them I did not hear and see much. That night the council of war appointed a committee, at General Robinson's request, to draw up articles of agreement. Mr. Winchell was chairman of that committee, and drew up the treaty—I think the treaty as now published. I was on that committee. It is as Mr. Winchell drew it up and submitted it, with the exception of the last clause, which was added by General Robinson. Governor Shannon said he thought it was not best to conclude the negotiations that day, as he was afraid he would have difficulty with the men. He returned to Franklin that night. The next day he came back here, and the treaty was signed. He said he desired General Robinson and Colonel Lane to accompany him to Franklin, to see the council of captains there. I was afraid of General Robinson's going there, with no one but Colonel Lane; but he concluded to do so, seeming to forget concerning his own safety, the prudence he had exercised while looking out for ours. They were gone till after night, when a snow-storm had come up. We were very anxious about them, and were about on the point of starting to look them up. They came in about eight o'clock in the evening, and that evening a man came in town saying a family below here had been driven out of their home into the storm by some from the other camp. General Deitzler took a party of some five or six and started for the place. He brought in three men, who were armed with small Colt's revolvers, large holster-pistols, and cutlasses. They said they were the picket guard that had been sent out the night before, but had been told by the captains they had met that they need not go on that duty, as the whole matter had been settled. These men had been found in the house out of which this family had been driven. They stated that they did not turn back to camp, but came up, as they wanted to see the town, but the storm coming up they lost their way on the prairie, and finding this house they went into it and took possession. To other questions which I asked them, they gave contradictory accounts as to their presence in the house, and their reasons for it. They were disarmed when they were brought in, and their arms put away together; when they left we gave them a breakfast. One of them said he had lost a revolver. I do not know of any proof that he had lost one, but General Robinson took his from the desk before him, saying, if they had lost anything it should be replaced. One of the men had a horse which had been stolen from here. The horse had been retaken once after he had been stolen, and the man who had him was brought into town. When we were setting him at liberty in the morning, he gave his word that if we would let him ride down to camp, he would return him immediately. But we saw nothing more of the horse until we took him with these men who had been found in the house from which the family had been driven. They seemed to be very much displeased that we would not let them take the horse

again. I think Colonel Blood told them they could not have the horse or the saddle until our saddle was brought back. The horse belonged to Colonel Blood's regiment. There were rumors that parties in the camp had rebelled, and were out in guerilla parties, to cut off men and attack the town, and our men, therefore, remained here until Monday. On Sunday, Governor Shannon was here in company with sheriff Jones and General Strickler on the other side. On Sunday night, while he was in the hotel here, while some ladies and gentlemen were collected here, he gave General Robinson the commission which is talked of so much. The meeting of the ladies was for the purpose of making arrangements for what was called a "peace party" on Monday night. This hotel was then called the "Free-State house," and was unfinished and unoccupied, except by soldiers, as the floors were not all laid. Governor Shannon said that he had very much mistaken the people of Lawrence, and I think he said something about coming here to live. He expressed some fear about the man who had been on the Wakarusa, that they would use some violence towards him. He left the next morning. The "peace party" came off on Monday night, and on Tuesday the soldiers left here. Sheriff Jones attended the party on Monday night. After the treaty the military organization was made more complete—the ranks of the officers changed somewhat, the names enrolled, &c., &c.

Cross-examined by Mr. Woodson :

I was not present at the meeting in this place on the 14th of August last, or any time during that month, but I was at Shawnee Mission. I was at the Big Springs convention. The object of the meeting was to effect a union of the free-State men, and nominate a candidate for delegate to Congress. I do not know that one of the objects of that meeting was to organize for resistance to the Territorial laws. I know that one of the subjects to be discussed was, in what light we were to hold these laws. I thought, myself, that I should have something to say upon the subject, and thought that other men would do the same thing. I mean to say that, so far as I know, there were no arrangements made for a military organization in resistance to the laws. I never heard of it, and never expected that to be done. I am not aware that the free-State party ever resolved to disobey the laws of the Territory. I do not know of any purpose to resist the laws by the free-State party. I do not think I have ever heard anybody express any intention to resist the laws. The expression is that nothing could make them respect the laws. I think I have said that myself: waiving that, I would take no advantage of those laws myself to recover any right. I think I have heard individuals say that they would never be taken by officers under the Territorial laws; but only in one or two instances, and I do not now recollect their names. I do not think I ever heard one of the free-State party express a determination to resist the execution of process in the hands of the sheriff. Of my own knowledge, I know of no act of resistance to the acts of the sheriff. I cannot recollect all I have heard, but to the best of my recollection I have never heard any one of the free-State party say that the object of the party was to resist the Territorial laws. I have

heard persons say that they had resisted the execution of process in the hands of the sheriff. I heard one man say he had done so who was a member of the free-State party. What I am about to say cannot be considered as giving any correct expression of the sentiment of the free-State party.

A greatly many men of the free-State party, I have heard say, regretted the resistance to the Territorial laws at this juncture, before they had been resisted in the courts and at the ballot-box. There are other men who say that the ballot-box is closed against us; that there is no justice in the courts, as is shown by experience; and that they have nothing to say in condemnation of resistance to the Territorial laws. I do not know a free-State man in the party who does not subscribe to the resolution passed at Big Springs, in effect that the burden of these laws must be thrown off somehow and at some time. I have heard by report that free-State men had resisted the execution of process; that was in relation to the case I have before mentioned, where an individual also told me he had resisted—this instance being the rescue of Branson.

[Here Mr. Woodson proposed, under the rule adopted by the majority of the committee, (as he understands it,) to prove by the witness (G. P. Lowry) what was the understanding and reports in circulation among the free-State party in Lawrence as to the fact or facts of the resistance of free-State men to the execution of process in the hands of the sheriff of Douglas county.

The majority of the committee have not adopted any rule (as they understand it) under which this question would be competent, nor do they know of any rule of law or of evidence that would make it competent, and decline to allow the question to be put to the witness.

Thereupon Mr. Reeder proposed that the above question be answered by consent, which was agreed to.]

With regard to the rescue of Branson, it was generally reported in Lawrence that sheriff Jones had gone with a party of 14 or 15 to the house of Mr. Branson, and arrested him upon a peace warrant. It was further said that Mr. Branson had committed no offence, but was only a witness against Coleman in the murder of Dow. It was further said, that a party of free-State men were returning from Hickory Point on the same night when the arrest was made, who had been there to attend a meeting in reference to the murder of Dow; were about 13 or 14 in number; and that they met in the road sheriff Jones's party with the prisoner; that they inquired who was there, and that Mr. Branson spoke and said he was there, and they had got him prisoner, but he did not know what for, nor where they were taking him; that the party coming from Hickory Point asked him if he wanted to go with sheriff Jones, and he said he did not. They told him then to get down off the horse he was on and come with them; that he did so; that after some further talk the two parties separated, and each went its own way. The report further said there was no violence or force, other than their being there on the spot; that four or five out of the free-State men were armed.

I believe the resolution referred to by Mr. Jessee as having been passed at the Big Springs convention was passed there. I do not know

of the organization of any military in the Territory since the Big Springs convention, except the companies that were organized during the war, and which were dissolved when the war ended. As for the procurement of arms, I have heard that arms have been brought into the Territory since the Big Springs convention, but whether they were procured before that convention, or whether they were procured under that resolution, or by whom they were procured, I have no knowledge. The report is, that arms that I have seen here have been brought in this spring—some by way of Leavenworth, some by land from St. Louis, and some by the river to Kansas City. I cannot state where the cannon that was brought up here during the war came from. I have heard that it was bought in New York city by Mr. Abbott, with his own means, some time last spring or summer, some time before the Big Springs convention. It was brought here from Kansas by the team of Mr. Buffum, who went down for it, and was accompanied by three or four men, who were under the command of Lieutenant Sumner of this city. I do not know how the expenses in getting it here were paid. The money paid for the freight is put in with other bills to be presented somewhere for payment. There were one or two independent military companies—such as are customary in towns—in existence here before I arrived in Lawrence, in August last. I was present at meetings of the free-State party prior to the arrest of Mr. Branson. I do not recollect of hearing any threats at any of those meetings, of resistance to the laws of the Territory. I do not know any of the proprietors of the Free State hotel, or by whose means it was built. At the peace-party which was held at this hotel I heard no threats of violence against sheriff Jones. I heard one captain say, that he and his men would not remain in the room with him. I was told that threats had been made against him, and I consider a man in danger when he is threatened very much. I was close by sheriff Jones most of that night. I do not know of any assembling or gathering of men for the purpose of violence against sheriff Jones. The party from Topeka that came here were armed, but I do not recollect of ever seeing any banner in that company. I do not recollect of any place where arms were placed in Lawrence, either before or during the war, except where they were placed by men at night, and taken again in the morning. I have heard of the organization called the Kansas League, but have no knowledge of it. The most of my knowledge was obtained from a newspaper which pretended to publish an exposition of such a society. I was private secretary for Governor Reeder, after he returned here from Pennsylvania in June, 1855. I have said that I knew of no other rescue from sheriff Jones before the appointment of this Congressional committee. I did know of one other—it was the case of Mr. Buffum; he was taken from the hands of the sheriff by his wife.

To Mr. Reeder :

There was a report here that in the conversation between the party that rescued Mr. Branson and the party with sheriff Jones, at the time of the rescue, Mr. Jones said that in less than five days he would have ten thousand men at Lawrence, I think, from Missouri.

To Mr. Howard:

I came into this place to live about the first of September last. I do not think that sheriff Jones ever arrested a person in Lawrence before the treaty was signed, which was on Saturday, December 8, 1855. I never heard of sheriff Jones having a process to serve in Lawrence, or of his having any official business here, except the collection of a tax which was refused, as it was all over the Territory, by persons of both parties. In that case he asked for the tax of a dollar, and being refused said nothing more about it.

G. P. LOWREY.

LAWRENCE, K. T., *May 2, 1856.*

J. M. WINCHELL called and sworn.

To Mr. Reeder :

I first came to the Territory about the first of October, 1854, and made a location, but did not then remain here. I returned here in the following spring, and settled in Council City, in the seventh district, and have resided there ever since. I came to Lawrence on my way to Kansas City, on Friday, the last day of November, and then first heard of any serious difficulty. I proceeded on Saturday to Kansas City, and on my way met numbers of people coming out here. That, I think, was on the first day of December. During the two or three days following, I heard, in Kansas City, threats of the destruction of Lawrence, and remarks that, inasmuch as the river was about being closed, it was thought to be a favorable opportunity for cutting off the free-State men in the Territory, and that Lawrence was the first place to begin with. I saw every day men passing out or through the town armed and uttering these threats, yelling and whooping in a very disorderly manner.

It was understood that Governor Shannon had issued a proclamation calling out the militia of the Territory, and that these men intended to act as a part of that militia, and be organized as such. They offered their services to Governor Shannon as a part of the militia of the Territory. I was induced to visit Governor Shannon to learn the truth, as far as I could, in regard to these matters. I visited him on the 4th of December, I think, at Shawnee Mission, in company with Mr. T. B. Eldridge, of Kansas City. I represented to Governor Shannon that he was misinformed in regard to the state of affairs in this Territory. He admitted that he feared that he might have been misled by the reports that reached him as to the disposition of the people of Lawrence and the Territory, and expressed a belief that if the people here could understand his views, a collision might be avoided. He said that the people of the border counties had been excited to a state of feeling that he feared was beyond control, and requested me to communicate with the principal men of Lawrence his wish to avoid any outrage committed on them by the force assembling in the vicinity here, and his determination to protect the people of Lawrence by all the means in his power, but to require them to de-

liver up their arms. He admitted that travellers were being stopped on the highway, and offered me a pass to come through without molestation. The next morning I saw him again, while on my way out. He stated that a deputation from Lawrence had visited him during the night; that he was confirmed in his belief that he had misunderstood the people of the Territory; that he would proceed himself immediately to the scene of difficulties; that he had ordered Colonel Sumner from Fort Leavenworth to march with the force under his command, and meet him at Delaware crossing; but that he would further order him now to march his force directly to Lawrence, and quarter it in the town for its protection; that he should no longer insist on the people of Lawrence delivering up their arms; that he hoped, with the aid of some prominent men who lived in Missouri, to restrain the force then assembled near Lawrence, and induce them to disband and return to Missouri; that he had received letters from sheriff Jones and General Strickler; that the letter of General Strickler was temperate and moderate in its tone, and that of Jones of the opposite character. He told me to say to the people of Lawrence that he would be in their vicinity that night, in company with Colonel Boone and Colonel Childs, if he could persuade them to go with him, as they were both residents of Missouri, and had great influence with these men and with Jones. He included, in the pass given me, the name of Mr. Eldridge, who was with me, and we proceeded on our way. On the road I saw numbers of men proceeding in the same direction with myself, and we were passed and repassed by them frequently. These men were armed, and stated that they were residents of Missouri, and were going out to assist in the extermination of Lawrence. Some said that the people of Lawrence would have a few hours given them to send away their women and children before the destruction of their place. One team had a large flag. I arrived at Wakarusa crossing about dark, and was stopped by sentries who refused to allow me to pass. I inquired who was in command of their force, and they said they believed General Strickler. I requested to see him, and was conducted into the camp by a person who was styled Lieutenant Lucas. I think, on exhibiting my pass to General Strickler, he sent us forward with Lieutenant Lucas, who conducted us beyond the picket guards. On arriving at Lawrence, learning that a council or committee of safety had been appointed in town, which was then in session, I procured admission into their room, and laid before them the errand of Governor Shannon. But little confidence seemed to be manifested in his good intentions. There was a variety of opinion touching his good faith in the matter. It was determined unanimously, however, to act strictly on the defensive as against the men surrounding the town, and to endeavor to set the governor right, so far as the position and motives of the people of Lawrence were concerned.

I was informed at that time that the town was then guarded; that the men within it had been arranged into a body for resistance to these parties, who were assembling within the vicinity of the town. The next day, by request of General Robinson, Mr. Eldridge and myself sought Governor Shannon, to ascertain when he would visit the

town, that arrangements might be made for his proper reception. We proceeded to Franklip, and was there stopped by an advanced guard, (the outmost sentinels,) and was permitted to proceed only on stating that we had business with persons in command. There was some little difficulty in getting through at that. We were told that Governor Shannon had gone up to Lecompton; others told us he was still at Shawnee Mission. Some said that sheriff Jones was in command, and some that General Strickler, and some that General Richardson was in command. On arriving at Wakarusa crossing, we were stopped by a number of men who were acting as sentinels, who utterly refused to let us pass. The house in which the officers in command were said to be was just across the creek in sight. We had proceeded alone thus far without an escort. These men who stopped us levelled their guns at us, and threatened to fire if we proceeded a step farther. This was on the main highway between here and Kansas City. I demanded to know who was in command of their force. I received several contradictory replies from different men. I stated that I wished to see Governor Shannon, and was told that he was not there. Finally one man admitted that he was there, and stated that I could not be permitted to see him. I demanded to see sheriff Jones, and finally a man was induced to go over and tell sheriff Jones that some one wished to see him. In the meantime I asked permission to drive down into the creek to water my horse, and was permitted to do so under escort; one man swearing that the horse belonged to the American Hotel in Kansas City, and that the wagon and horse was an abolition establishment. While down in the creek the messenger returned from sheriff Jones, and requested me to go to the house on the bank opposite where sheriff Jones stopped. On turning my horse's head, however, the guards levelled their guns at me again, and commanded me to stop. The messenger told them he had the orders of the sheriff for me to go, and finally one of the guards consented to go with us to the house. On arriving at the house I stated to sheriff Jones that I wished to see Governor Shannon. Word was sent to Governor Shannon, who came out of the house, as the guard would not permit me to enter it or go out of his sight. Governor Shannon expressed the same views and feelings that he did the day before, and stated that several prominent gentlemen from the border counties of Missouri were with him; that he hoped, through their influence, to restrain this force, and to prevail on it to disband and return home. He stated that there were then 1,200 men on the ground at that place. He said that he would be at Franklin the next morning, immediately after breakfast; that he would send a messenger to Lawrence announcing his arrival; that he met a deputation of the citizens to meet him at Franklin and escort him into Lawrence. He gave me a pass, I think, to return with; and the same guard who had accompanied us there, came back with us and saw us through the sentries at the ford, and we returned to Lawrence. In the morning a gentleman arrived from Franklin at Lawrence, as a messenger from Governor Shannon, according to agreement, stating that Governor Shannon was prepared to visit the town. An escort of ten persons, I think, was sent back with this messenger to Franklin, under the com-

mand of G. P. Lowry, who found the governor at Franklin, and escorted him, in company with Col. Boone—I think his name is A. G. Boone, and his residence is Westport—and a gentleman whose name, I think, was Col. Strickler, from Missouri, and this messenger, whose name, I think, was Kearney, into Lawrence. We were met, on entering Lawrence, by Gen. Robinson and Gen. Lane, and other prominent men, who joined the escort and conducted the governor to the room of the committee of safety. Communications between Governor Shannon and the gentlemen with him from Missouri, and the men of Lawrence who received them, were of an exceedingly friendly character. The governor wished a sort of treaty, as it is usually called, to be drawn up, in which should be expressed the feeling and intention of the principal men of Lawrence and the Territory, and also his own. He made, I think, a memorandum of some points he wished inserted in that treaty.

He expressed a belief that the business could not be concluded that day; that he had better return to Franklin, and return to Lawrence the next day and conclude the matter. He stated again that he had hopes of being able, with the aid of gentlemen from Missouri, to induce these men to disperse, who had come up for the purpose of destroying this town. He expressed himself very freely that these men were entirely beyond his control, unaided by these gentlemen. He expressed a strong desire for the arrival of Col. Sumner, with a force under his command, for the protection of this town, if his efforts should not succeed. Col. Boone expressed deep regret at the course matters seemed to be taking, and stated, also, that these men were almost uncontrollable, and desired to destroy the town and everybody in it, and compared them to a pack of hyenas. Governor Shannon left here with these men. The committee of safety convened during the evening, and a committee was appointed to draught the document which Governor Shannon had desired to be prepared. The treaty was drawn subject to such changes as might be thought best by Gen. Robinson, who, I think, was instructed to depart from it in some respects, if he thought best, in points that might be required by Governor Shannon. The next day Governor Shannon returned, according to promise.

I was named as chairman of the committee appointed to draw up the treaty, and wrote the treaty as it went from the hands of the committee, though it was to be modified afterwards at the discretion of General Robinson.

Previous to my return to Kansas City I had an interview with Sheriff Jones, who came in that evening with Captain Shaw, of company A, who lived in Missouri, as he stated to me. Mr. Jones appeared to be very much excited, because a patrol, as he entered the town, rode with him into it. He swore he would go in and out of Lawrence whenever he chose without any escort. He said he should resign his office in case any arrangement was made by Governor Shannon to dispense with the service of these men, who had assembled, as he said, to aid him in making the arrests contemplated. I also heard Governor Shannon say that Jones had promised to resign. I stated to sheriff Jones that I was going down to Kansas City, and inquired whether there would be any difficulty in passing the force sta-

tioned at Wakarusa. Captain Shaw wrote me a pass, which sheriff Jones countersigned. I then left for Kansas City, about the middle of the day, in company with the same gentleman with whom I came. At Franklin I was met by two horsemen, who told me I could not pass. I stated that I had a pass from sheriff Jones. They said that sheriff Jones had no authority. I said I had a pass from Captain Shaw, of company A. They said they knew nothing of any Captain Shaw, or his authority. Having still in possession the pass that Governor Shannon had given me the Thursday previous, to enable me to return from Wakarusa to Lawrence, I inquired whether a pass from Governor Shannon would be sufficient, and they said it would not. They finally rode back with us a few rods, to where the stationary guard stood, and consented to look at the pass of Captain Shaw. Mr. Eldridge offered them some cigars he had with him, and finally they let us go along. On reaching the woods near Wakarusa, we were again stopped. The sentry was very obliging, glanced at the pass, and said he would not be very strict. He said that some of the boys had just been examining a loaded wagon, overhauling some boxes in it, and pointed out the wagon and boxes standing at a little distance, which proceeding, he thought, was uncalled for. We went on to the ford, found one or two sentries who stopped us, whom we told we had a pass, and we were then permitted to go on. I then saw some horsemen taking leave of some others, and then they started off east.

I saw some wagon-loads of men also going east, and the camp was evidently breaking up. On the way to Kansas City we passed several horsemen and wagon-loads of men. This I think was on Saturday, the 8th of December last. On the Monday following I returned to Lawrence, the camp was dispersed, and I met with no challenges on the road. I met Governor Shannon on the way returning east. He said that the difficulties were over, but said he thought he should resign his office; that the difficulties of the office were too great for him to retain it. He spoke of resigning his office from apprehension of difficulties in the future.

I have been subsequently told by a gentleman, whose name I find as adjutant on the pass given by General Strickler, when he retained the one given me by Governor Shannon, and which was John Martin, that the actual number of men assembled on the Wakarusa was over 1,200. On going from here to the Wakarusa on the Thursday mentioned, I saw a prisoner whom the guards had taken, and whom they said they were taking to camp, and who was struggling violently against it. The prisoner was placed on horseback, and he would not remain on it. He was in the hands of men who, the sentries told me, were a part of the forces. He struggled violently, and one of them said to him, "God damn your abolition heart." The last I saw of him he was being dragged along by two of them, one on each side. It was not alleged, as I heard, that he had committed any offence. When I was at the camp at Wakarusa, for the purpose of seeing Governor Shannon, on my remonstrating with sheriff Jones on the arrests of persons without any offence being alleged against them,

he admitted that General Pomeroy had been arrested without anything being charged against him at all.

To Mr. Howard :

Sheriff Jones represented to me that this arrest was made without his authority, and he was not responsible for it ; that the men there could arrest whom they chose. I remonstrated with him against keeping General Pomeroy under such circumstances ; to which he made no reply. General Pomeroy was then in the camp.

Cross-examined by Mr. Woodson :

At the first interview with Governor Shannon, he stated that the force assembled here at Lawrence was a posse of the sheriff. He stated that the force had assembled in consequence of his proclamation, based upon the statement of sheriff Jones, that a prisoner had been rescued from his hands, and he wanted additional force to enable him to retake the prisoner and those who rescued him. He said nothing about Lawrence being in a state of armed defence and rebellion ; this was in the first interview. In the second interview Governor Shannon disclaimed the force as being under his control, or under the command of the sheriff. He stated his proclamation was not intended to bring those men into the Territory, and that he had no control over them. I do not think he said anything about his having legal authority. He disclaimed the power to control them, or wish to use them. In the first interview he claimed that these persons were there as a part of the sheriff's posse, and had a right to be there. In the second interview I remember nothing said touching his authority. There was scarcely any discussion between us at the second interview, though there was considerable in the first interview. He expressed a regret that the men had ever come into the Territory, an indisposition to use their services, and a disbelief in his own power to control them. I did not hear him disclaim any authority over these men. Sheriff Jones said to me that he had been resisted in the execution of the laws, in the rescue of Branson ; that he had been rescued by a force of about forty men ; that he himself had counted thirty-eight men ; and that he was determined to discharge the duty of sheriff at every hazard. That is the substance of his expressed determination ; that he had summoned the volunteers as his posse, and that they were such ; but stated at the same time that he could not control them. He said nothing about his having attempted to arrest men in this town, and being resisted, as one of the reasons for calling out this force. He stated that his life had been threatened, and that he had several times been in Lawrence to give men a chance to shoot him if they wished, and should continue to come here whenever he chose. The first that I saw of these men was when I was on my way to Kansas City. That was on Saturday, the 1st of December. It was between Saturday and Wednesday that I heard the threats used in Kansas City. When I passed through Lawrence, on my way down to Kansas City, I saw no preparations of defence here. I knew of no preparations of arms and ammunitions of war before that time. When I returned to this place they were preparing for defence, throwing up breastworks,

and drilling. I left here on Saturday the 1st, and returned on the following Wednesday. I was told by various persons here that there were from seven hundred to eight hundred men here. Of Sharpe's rifles I was told, in the same way, that there were about two hundred. I knew of one piece of artillery being brought into town during its investment. I have no knowledge of any other piece, and was told there was not any other. I think there was very little ammunition here, from the fact that two ladies went out and brought in some during the siege. I knew of no cannon-balls being here, and of no ammunition, except what was brought here with the cannon. There were guards placed about the city. I know nothing of their number, but can simply state that there was a sentry placed on the main road leading to Franklin, about a quarter of a mile from this building, and there were guards placed along on the river—so I was told. I do not know of any guards being placed out a mile or so; I saw none of them. I never received a challenge on coming into Lawrence from any men here, though I was told by guards in the other camp that I would be challenged here. I know that there was intended to be a guard or scouting party out in the night-time; but I do not know about their being out in the day-time. I understood that there were passwords and countersigns in the night-time, though I do not know about the day-time. I think these countersigns were not required during the day and night, before persons were permitted to enter Lawrence, though I think it was intended to be done in the night. I heard here that two or three of the enemy's picket or patrol guards were taken on one occasion, and brought into town here by our patrol—one of them because he had a horse that was stolen from town here. They were relieved in the morning.

To Mr. Reeder :

As I was passing down to Kansas City, the first time, I met a cannon, drawn by two horses, coming this way. I did not recognize any of the parties with the cannon, but they appeared to be of the same parties as others I met coming up. I remember meeting two gentlemen coming up, one of whom was said to be Colonel Woodson, of Independence.

To Mr. Sherman :

I went down on Saturday, and met these men and the cannon, and had an interview with Governor Shannon, the first time, on the Tuesday following.

To Mr. Reeder :

The threats to which I alluded in the first part of my testimony, included threats against the American Hotel in Kansas City, as being obnoxious in the same way as was the city of Lawrence. Threats were made that it would be destroyed, and much anxiety was felt by its inmates, of which I was one, and the citizens generally. I understood the ground of hostility to the hotel to be that it was kept for the convenience of northern emigration to Kansas Territory. That, so far as I know, was the exclusive ground of hostility to the hotel.

During the latter part of that week a meeting of the citizens of Kansas City was called, and a deputation sent to the camp at Wakarusa with a statement, which I have since seen in print, relating to the threats which had been made, and the political opinions of the proprietors of the American Hotel, for the purpose of securing the property from destruction, on the return of the forces here encamped to Missouri.

This statement was printed, and distributed, in the form of a circular. I know the hotel to have been bought by the present proprietors from the Emigrant Aid Company. During the time I was in Kansas City, I frequently saw parties crossing the Missouri river on their way to join the forces investing Lawrence. I counted at one time seventeen armed horsemen in one of these parties, who uttered the most hideous yells and shrieks, and threats against the abolitionists. I saw similar parties returning across the ferry at Kansas City.

To Mr. Woodson :

The town of Kansas is on the extreme edge of the State of Missouri.
J. M. WINCHELL.

LAWRENCE, K. T., *May* 1, 1856.

HOMME HAYES called and sworn.

To Mr. Reeder :

I was taken by the troops on the Wakarusa last December. I had been asked by Dr. Hall, of Franklin, to go with two men on horseback and show them the ford of the Kansas river. He told me these two men were chiefs of the Wyandot tribe. I refused, as I did not know the ford. He was rather displeased at that. I told him I would conduct them to one of the neighbors, who would probably know better than I did. I then started with them towards Garvin's, where I met Bill Straub, a neighbor of mine, and he took them to the ford, and I returned to Franklin. I saw some young men there sitting on a pile of logs, with their knives out, flourishing them. There were companies gathered in the street that afternoon. One man called me to him in the street, and I went up to him. He called me a God damned spy, and said he was going to take me down. He wanted to drive me ahead of the horses, and I refused. They furnished a horse that was not saddled to ride on, and we started. They had tumbled me round from one side to the other, and one man had hold of the halter, and I thought it was not necessary for me to take the reins. He came up scolding me, and said, "You God damned Dutch abolitionist to hell! take the reins." I told him I never heard the word abolitionist in my country, and did not know what it meant. They took me down to the camp to a tent there. The guard was round the tent, and, when they pushed me in, I found more prisoners there. They kept me there three days; we were released on Saturday. They threatened around the tent to hang us. There was a brass piece of cannon before the tent the morning we were released. The sheriff, or the one they called sheriff, and one of the officers—I believe his name

was General Strickler—came up with revolvers in their hands, and took us up to headquarters. The general then released us, and gave us a pass, and then started towards the guard. One let me pass, and the other stopped me because the pass was not dated. I went back to the headquarters; the general gave me another pass, which enabled me to get by the guard and on home. I live $3\frac{1}{2}$ miles below here, on the Kaw river—between Franklin and the river.

HOMME HAYES.

LAWRENCE, K. T., *May 3, 1856.*

ALVIN B. BRONSON called and sworn.

I was the driver of the mail-coach during the troubles last fall and winter, and was the sub-contractor to carry the mails between Kansas City and Topeka. When I was coming from Kansas City, while the forces were encamped on the Wakarusa, I was stopped by some of them about five o'clock in the afternoon. They said at first they intended to keep me there all night. After keeping me about an hour and a half, they let me go. The next morning, as I was going back, the picket-guard made me go into camp and get a pass before I was allowed to go on. I went and got the pass, and was then allowed to go on. After that, I made my regular trips without being detained any more by them. I knew of their stopping other teams; there was one in camp while I was there the first time.

A. B. BRONSON.

LAWRENCE, K. T., *May 12, 1856.*

JAMES S. LEGATE called and sworn.

I came into the Territory the last of July, 1855, from Mississippi. I was born in Massachusetts. I know Samuel J. Jones, sheriff. I have seen him quite frequently. I made his acquaintance among some of his earliest visits to Lawrence as sheriff. I have had several conversations with him concerning the difficulties here at Lawrence last fall. At one time we had quite an extended conversation upon that subject. I wanted to obtain from him his object in arraying the force from Missouri against us. This conversation took place in Lawrence, after the difficulties were over, about the last of December. I asked him, if he thought those men whom he wished to arrest Mr. Bronson, who was rescued from him, were in Lawrence, why he did not come for them in person. He said that he had been looking at affairs about Lawrence for some time, and had come to the conclusion that so nearly equal were the forces of the Territory divided, the one part free-State and the other pro-slavery, the only alternative was to fight it out. I then asked him, if they were so nearly equal, why he went to Missouri for his friends there; why not let the citizens of the Territory fight it out if they wanted to fight. His reply was, that we

were too well prepared, and that he went to Westport and noised the condition of affairs about, and started his friends to the Territory. He said that he was so fixed at that time with the boys about Westport, that he could readily obtain a thousand men, armed and equipped for service, and that it was his object at that time to bring the matter to a fight, and he did all he could do to have it come to a fight. At that stage of our conversation I told him it was bad policy for one of the officers of the Territory to have written to the State for a certain number of riflemen to come up here, as it looked like bad faith in that officer. He said that was a private matter, never intended to be made public. We were then conversing about a letter purporting to be from Daniel Woodson, the secretary of the Territory, inviting, I think, the Platte county rifles to come over here. I asked him, in so many words, "if Colonel Woodson," as we called the secretary of State, "wrote that letter." Jones said he thought "likely enough." I asked him how many men came up from Missouri. He said he did not know exactly. I asked him then how many men he had, that made it their home in the Territory. He said there were but few of them, because they could not leave their work at that time, and he thought there were not more than 150 or 200 of them out. At another point of the conversation I asked him how many men he had in all with him. He said he had about eighteen hundred men. I then told him he must have had fourteen or fifteen hundred men from Missouri. He said he did have that number, and could have obtained more. I then asked him what he intended to do with that number of men as a posse. He said he intended to "take this damned town," Lawrence, "and blot it out." I reminded him of the improbability of the force he had being able to do that. He said the town had been looked at by many different individuals from the camp, and they were confident they could have taken it in twelve hours. Our conversation then turned upon his trying to make an arrest in town since the war, and in which he had failed. He said he had tried to make an arrest here, and he had been resisted, and that he had called upon Robinson and Lane for a posse, and they would not give him one. I told him it was probable they thought he was trying to get up another siege here, and that was the reason they did not give him some direct answer, or do something for him. He replied that he thought that Robinson and Lane thought somebody was at the bottom of it besides himself. I said they probably did, and would continue to be neutral in the matter, acting only as citizens. He said the articles of peace that Shannon, and Robinson, and Lane had entered into, he thought pledged them to give him a posse, and if they did not do it, or do something for him, he would get up another scrape, and they would have Woodson to deal with this time, as Shannon was gone, and they would find Woodson to be a damned sight different man from old Shannon. I told him that if we got into a war here at that time, it would probably involve the whole Union. He replied that he did not care what it might involve, but that the laws passed by the Territorial legislature should be enforced. Our conversation then ceased at that time.

At another time, in conversation with him in regard to enforcing

the Territorial laws, I told him a strong objection to the laws was, that the offenders, who were pro-slavery, and had offended against free-State men, had nothing done to them. He asked me for an instance of the kind, and I referred him to Major Clark, who had, but a day or two before that, passed up through here with a body guard. I said that his killing Barber, and not being brought to account for it, made a great many feel very strongly against those laws; and I told him that he (Jones) knew very well that Clark killed Barber. He said he did not know anything of it, only what Clark said, for he was not present. He said that when Clark came down to Franklin, the evening that Barber was shot, Clark and Burns, from Missouri, both claimed that they had killed one of the damned abolitionists. He then told me the circumstances as Clark and Burns related them. I asked Jones why Clark was not arrested. He said if I would swear out a warrant against Clark, before a justice of the peace, he would see that Clark was arrested. He said he did not deem it his duty to arrest a man for an offence committed, except on himself, unless some one else would swear out a warrant against him. He said that it was just as well as it was, for Clark would not leave the country, but would wait and come before the grand jury. That was about the substance and important facts of our conversation.

[This portion of the deposition, relating to events transpiring since the appointment of the commission, is struck out according to ruling of committee on the case of Mr. Harris, at Westport, Mo.]

JAMES F. LEGATE.

LAWRENCE, K. T., May 12, 1856.

LECOMPTON, K. T.,
Secretary's Office, May 8, 1856.

At the request of the Kansas investigating committee, I hereby state that the following publication, purporting to be a letter from me to General Eastin, is, so far as it relates to me, a forgery. I never wrote any such letter to General Eastin or any one else.

I saw the publication for the first time at the Wakarusa camp, about the 6th of December, 1855, published in the "Herald of Freedom," a weekly paper printed in the town of Lawrence, bearing date December 1, 1855. I immediately called General Eastin's attention to it, who at once pronounced it a forgery, he having received no such letter from me.

DANIEL WOODSON.

"DEAR GENERAL: The governor having called out the militia, this is to inform you to order out your division and proceed forthwith to Lecompton. *The governor not having the power, you can call on the Platte county rifle company, as our neighbors are always ready to help us. Do not implicate the governor, whatever you do.*

"DANIEL WOODSON."

Sworn to and subscribed before me, this 8th day of May, A. D. 1856.

JOHN SHERMAN,
Of the committee.

GEORGE F. WARREN testifies:

I was at Leavenworth City when the difficulties commenced here at Lawrence last fall. The first report in regard to forces gathering in relation to Lawrence was, that they were gathering in Leecompton. There was a proclamation posted up, purporting to be from Governor Shannon, and signed by Woodson, secretary. After that, there was a company organized at Leavenworth City, of persons who came over from Missouri, of whom I recognized some twenty or more. Some of them were armed with guns, some were not. They met in the streets, and, with some fifteen citizens of Leavenworth City, organized a company. The company consisted of thirty-five or forty in all, I think. I was requested by different individuals to raise a company to come to Lawrence to the assistance of Governor Shannon, to put down the people of Lawrence. I declined to do so, unless we were to be allowed to act as an independent company, and act as we pleased when we got here. The next day was Sunday, the 2d of December. I was requested to take Dr. Cutler to Doniphan. Dr. Cutler was sick at the time, and had been confined to his bed. He lived in Doniphan, and was desirous to return home. I started with him for that purpose in a buggy. I took my gun with me. I arrived at Doniphan that Sunday evening. The next morning I started back alone to Leavenworth City. I had not gone more than two and a half miles, when I saw men on horseback riding about in different directions. One of them came up to me and followed me without saying anything to me. I drove down to Atchison, and when I got there, I saw a crowd of about thirty persons step out into the road front of me, and drawing across the road. One man held up his hand and stopped the horse, and another man caught the bridle. The one who caught the horse by the bridle was Mr. Thomason, and he demanded my letters and papers. I asked him if he was an officer, or had a writ. He said "no." I asked his authority for stopping me in the street. He said, as captain of the Atchison guard. I told him I should not give him my letters and papers unless he got a writ or came with an officer. A man by the name of Abell, a law partner of General Stringfellow, called out, "clinch the abolitionist." Thomason again demanded my letters and papers, but I refused to give them up. Some of the party then caught hold of me by the leg, and some by the arms, and asked me if I would give up the papers. I refused again, unless they demanded them legally. Then Thomason caught me by the throat. I then commenced to tear up the papers I had, and put one of them in my mouth. These papers I destroyed were my own private papers, letters from my brother, and papers sent to me by some persons unknown to me.

They continued to choke me, and I continued to tear up the papers. I tore up the papers as long as I had breath to enable me to do so. Abell sung out, "Kill the abolitionist, kill him; he is eating the papers up." They then stood me up on my feet, and stripped off all my clothes but my shirt. This was about 9 o'clock in the morning of the 3d of December. They searched me for papers, and could find

none but what I had torn up, or they had taken before. They broke open my shirt, breaking open the collar and bosom. They then put on my clothes. They took my gun, powder-flask and shot-pouch, jack-knife, and \$3 75 in money. They then carried me up to one of the stores and put me under guard. They said they were going to hang me. I objected to it, because I was opposed to capital punishment in any manner. They dispatched thirteen men to Doniphan for Dr. Cutler, and brought him to Atchison about dark that night. We were together but a short time, and then separated for the night. That night they sent a despatch to Weston for help. About 2 o'clock, some thirty men made their appearance where I was stopping, and inquired for Abell. It frightened the keeper, as he thought they were free-State men, and he shut the door in their faces, and locked it.

The man that had arrested us, said to me it would go hard with Dr. Cutler, and that it would be likely to go hard with me, because I was so stubborn with them in not giving up my papers. In the morning they took Cutler before the justice and dismissed him. The crowd that came from Weston came up to see me in the morning, to see who I was. They came in, and one man (Joseph Murphy) spoke, and asked what they were going to do with me. The crowd told him they were going to hang me. He said if they hung me, they would have two men to hang. They said they were determined to do it; and he then told them they would do it over his dead body. He proposed to them that I should be sent to Lecompton, to Major Richardson and Gov. Shannon. He said he knew me well, and knew I would do nothing that was not right. This Murphy was a pro-slavery man, and a citizen of Weston. After further conversation, they agreed to take me to Lecompton. They put Cutler and myself in the buggy they took me from the day before, and had seven horsemen, with a double-barreled shot-gun and two revolvers each, to accompany us.

We got as far as Hickory Point that night, and stopped at the house of Charles J. Hart. We were guarded until morning, and then I refused to go further unless they would show their writ. I told them that I should consider them as highway robbers, if they forced me to go with them then. Thereupon, four of the seven refused to have anything more to do with the matter, if I considered it in that light. The other three then took me and put me by force in the buggy. All seven, however, went on with us to Lecompton, where we arrived about 3 o'clock in the afternoon. Dr. Cutler and myself were then taken into the building then occupied by Gov. Shannon. Sheriff Jones then came and put his hands on our shoulders, and said we were his prisoners. I asked him if he had any writ, but he showed none. I said I wanted to know what I was brought there for, and wanted to see the writ; and he said it would be in presently. I saw no writ that day.

I was taken, that night, to a small building kept as a liquor-shop. The building was open, and it was very cold, from which I suffered very much. That night Jones came in with some four or five others, and sent for a table and a deck of cards, and went to playing poker at twenty-five cents ante. We were obliged to sit up all night, as the building was not large enough for us to lie down while they were

in there. I think Jones lost \$41 that night. He then told me he had a proposition to make to me. He said if I would tell him all about Lawrence, Sharpe's rifles, and secret societies, and turn State's evidence against the people here, he would set me free. But if I did not do that, I should swing. I told him he lived at Lawrence and I at Leavenworth, and therefore he had a better opportunity to know those matters than I did. He told me he would give me my choice, and asked me which I would do, "tell, or swing?" I told him I should choose to swing. The guard objected to his insulting the prisoners any more. He had been drinking, at times, all night.

It had become morning then, and we were marched to Shannon's office, or, as they called it, "the headquarters." The building is now used as a post-office. Shannon was not there. They then carried us down to their camp. Kelley, of the Squatter Sovereign, who lives in Atchison, came round and said he thirsted for blood, and said he should like to hang us on the first tree. Cutler was very weak, and that excited him so that he became delirious. They sent for three doctors, who came. Dr. Stringfellow was one of them. They remained there with Cutler until after midnight, and then took him up to the office, as it was very cold in camp. I was kept in camp until the following Saturday night. As it was very cold, they took me up to take care of Dr. Cutler. On Sunday the soldiers became dissatisfied, as it was so cold and stormy, and wanted to march on Lawrence or go home. The weather was very inclement—the tent in which we were being blown down—and it snowed very hard.

To pacify the soldiers, they agreed to and did move the camp towards Lawrence. They took me with them, in the carriage with Dr. Cutler, and we started towards Douglass. We got to Douglass, and there they consented to let the Dr. go to Dr. Brooks's, as he was acquainted with him. Benicia and Douglass are on adjoining claims. I drove Dr. Cutler to Dr. Brooks's, under guard, and left him there, and while driving back we were told peace was declared.

I saw a large crowd gathering, and drove up and heard some men making speeches. Dr. Stringfellow was called upon for a speech. He got up and made a very few remarks. Says he, "Gentlemen, we have been sold. Shannon has turned traitor, and disgraced himself, and not only himself, but the whole pro-slavery party." The whole crowd then cried out, "Lawrence," "Lawrence." Stringfellow said, "No, Shannon had ordered them out, and they had obeyed; and he had ordered them to go back home, and they must obey him."

The prisoners were then taken into a house near by. General Richardson, as he was called, came in there soon after, and passed through the room we were in, and went into another room, where he remained with a number of other persons about fifteen minutes. Captain Dunham, the captain of the company that had charge of us, came out and said, "Colonel Warren, stand up." I stood up, and he told me that I was free to go where I pleased. I then went out of the house, and all began to shake hands with me, and called for a speech. I declined to make one then, but promised them all they wanted if they would come to Leavenworth City. I asked General Richardson for a pass. He refused to give me one; said I would not need any, and could get

to those papers, and I do not know how they got into my pockets at the time I was taken. I think I had left them in a vest pocket, which I laid in my trunk, and put on without examining it the morning I left with Dr. Cutler for Doniphan.

G. F. WARREN.

LAWRENCE, K. T., *May* 12, 1856.

THOMAS CONNELLY called and sworn.

To Mr. King:

I came into the Territory and settled in Lawrence about the 5th of November, 1855, and have resided there until last April. I am acquainted with Colonel Lane and Dr. Robinson. I was there during the war last winter. I could not define what their intentions were. I did not hear Mr. Robinson at that time say much, if anything. I have heard Colonel Lane say he was colonel of the organized companies there during the war. I knew those companies were there, and knew they had sentinels placed there. I have had several conversations with Lane about that matter. I have heard him say they would not submit to the laws of the Territory, and that they had means and men to resist their execution. I cannot say that I heard him say that was what he got up those companies for. I have heard him and the crowds of armed men there say they would not obey the laws, and if they were arrested by sheriff Jones, or the officers of the Territory, it should not be alive. They asserted that they would not submit to those laws. I was there the night Branson was rescued from sheriff Jones, and heard the party who did that when they came into Lawrence that morning. I heard the drums beating and the company marched in, but I did not know until the next morning what they had done. There was no armed assemblage at Lawrence at that time.

Question. Do you know, from what you heard the men say who rescued Branson from the sheriff, that they knew he was arrested under the laws of the Territory?

Answer. I cannot say about what was said at the time. I believe Mr. Cameron was a justice of the peace, acting under the Territorial laws; at least he told me so. I cannot say that any of those persons who rescued Branson ever told me anything about the matter. I think in March last they said they intended to give a passive submission to the Territorial laws. I never heard Colonel Lane acquiesce at all in the submission of the laws, or Dr. Robinson say so either. As regards Colonel Lane, at the time this passive submission was agreed upon, he was not there.

Question. Did you hear anything said among those men who had been organized in armed resistance to the laws in Lawrence, at any period, that they then had things arranged in Washington, so that Congress would sustain them, and they intended now to take a bolder stand? and if so, state at what time these declarations were made, and what was said.

Answer. I have heard Mr. Lyman, Mr. Searle, and several others

who were engaged in that organized company in Lawrence, say. at the time the report first arrived there of the majority in Congress, that they now had a majority in Congress, and would succeed in annulling the laws of the Territory. I do not recollect exactly the date when this was said. I know it was at the time the account of the appointment of this committee arrived there, and I think it was some time in March.

Cross-examined by Mr. Sherman :

The declarations made by Colonel Lane were during the difficulties at Lawrence. I do not know whether he denied either the existence or the validity of the Territorial laws ; but he declared he would not submit to them.

To Mr. King :

I moved from Illinois to Lawrence. '

THOS. CONNELLY.

WESTPORT, Mo., *June 9, 1856.*

WILSON SHANNON was called and sworn.

This deponent states that as to the origin, progress, and conclusion of the difficulties at Lawrence last fall, he begs leave to refer to his two despatches to the President of the United States with the accompanying documents—the first dated on the 28th of November, and the second on the 11th day of December last—as containing what this deponent believes to be a correct history and account of these transactions.

This deponent states that he was not in the camp at Lecompton, and consequently cannot say whether there were any Missourians in that camp or not. He was in the camp on the Wakarusa, and knows that there came a number of citizens of Missouri in that camp, but how many he has no means now, and never had, of forming any idea of the number of citizens from that State who were in the Wakarusa camp. This deponent met a number of prominent men from Missouri at the Wakarusa camp, and conversed and counselled with them fully in relation to the pending difficulties ; and those with whom I conversed, without a single exception, stated that they had come over into the Territory to aid the law and order party in executing the laws. That they would take no steps that did not meet with the approval of the public authorities of the Territory ; that they had learned that those who were resisting the laws were armed with Sharpe's rifles—had artillery and munitions of war—and that the law and order party were in a great measure unarmed, and required aid to put down an armed resistance to the laws of the Territory.

It seemed to be a very general opinion, not only of the citizens of Missouri present on that occasion, but of those of the Territory, that no arrangement could be made which would bring permanent security to the country unless the people assembled at Lawrence were required to

give up to the public authorities their Sharpe's rifles and artillery, and I was repeatedly advised to exact this of those in Lawrence; but this was nothing more than opinion and advice, and when the matter was finally settled all acquiesced in what was done, although many thought the terms agreed upon were too liberal to the party; but stated that if the executive was satisfied, they had nothing to say. The men collected in the Wakarusa camp, after being dismissed, retired in good order. This deponent states that he was greatly aided in settling the difficulties last fall by the active exertions of prominent men from Missouri, who did everything in their power to prevent the effusion of blood. He would name General Atchison and Colonel Boone as having exercised a great deal of influence in preventing a conflict of arms between the two parties on that occasion.

This deponent understood, from leading men in the camp, that a great many of the men assembled on that occasion would not be satisfied unless the Lawrence party were required to give up their implements of war; and, in case they did not do so, they would attack the town. Expressions of this kind were not used to this deponent, but he has no doubt, from information received by him at the time, that this sentiment was entertained by a good many. Yet, through the influence I have named, all were induced to acquiesce in what had been done, and to retire quietly to their respective homes.

As to the paper dated on the 9th of December, and purporting to be addressed to C. Robinson and J. H. Lane, and which has been very erroneously called a commission, this deponent desires to make an explanation, as alike due to himself and truth. To a fair understanding of this matter, it is necessary that I should make some preliminary statements. On Monday, the 9th, about sunrise, this deponent issued his orders for disbanding the forces around Lawrence, and he remained at the Wakarusa until the forces at that place had all retired; he went then, by special invitation, in company with several other gentlemen, to the town of Lawrence, and in the evening was invited to attend a social party or gathering of ladies and gentlemen at the Emigrant Aid Society's hotel, which he accepted. There were but two rooms finished in the hotel; they were in the third story, and quite small and crowded by the company assembled. The time was spent in the most friendly and social way, and it seemed to be a matter of congratulation on both sides that the difficulties so lately threatening the peace of the country had at length been brought to a happy termination.

In the midst of this convivial party, and about 10 o'clock at night, Dr. C. Robinson came to me, and in a state of apparent excitement declared that the picket-guard had just come in, and reported that there was a large irregular force near the town of Lawrence, who were threatening an attack on the place, adding that the citizens of the place claimed the protection of the executive, and to this end desired this deponent to give himself and Colonel Lane permission to repel the threatened assault. I replied to Dr. Robinson that they did not require any authority from me, as they would be entirely justified, after the difficulties had been satisfactorily arranged, in repelling by force any attack on their town. He replied, that they had been rep-

resented as having arrayed themselves against the laws and officers of the Territory, and that therefore he wished me to give him written authority to repel the threatened assault; so that it might appear that, if a rencounter did take place, they were acting not against but with the executive of the Territory. With this view, and in the midst of the excitement of the occasion, I signed said paper; but it was distinctly understood, by both parties, that it had no application to anything except the alleged threatened attack on Lawrence that night. I subsequently discovered that no attack had been threatened on Lawrence on the night in question.

This deponent never said to Mr. Winchell that the people of Lawrence must give up their arms. I stated to Mr. Winchell, that the people of Lawrence and the free-State party had secretly introduced into the country arms of a deadly kind; and taken in connection with some resolutions they had passed in relation to resisting the laws by force, together with the actual rescue of Branson by an armed body of men, justified the people in believing that there was a fixed determination on the part of a portion of the people to resist by force the execution of the laws; that this belief had produced a great deal of excitement in the Territory, as well as in the border counties of Missouri, and that I thought the best thing the free-State men could do to restore harmony and confidence, would be to voluntarily place their Sharpe's rifles and artillery in the hands of some public officer, to be receipted for and returned, when the situation of the country would permit it. That if they would do this, I would undertake to guaranty to them united security.

I stated to Mr. Winchel, that if what he stated in relation to the citizens of Lawrence was correct, I had been greatly deceived as to their true position. That I would be the first to do them justice, if satisfied I had done them wrong.

I did not say to Mr. Winchell that I wished a deputation from Lawrence to meet me in Franklin, and escort me into Lawrence. He called on me at Wakarusa, and informed me that he had been requested by a number of the citizens of Lawrence to call on me, and invite me to visit that place, with the view of having an interview in relation to a settlement of the pending difficulties. He informed me that if I would agree to go to Lawrence, the people would send out a deputation to escort me into the city. I informed Mr. Winchell that I would be glad to visit the town of Lawrence on the next day, and he proposed that the committee meet me at Franklin at ten o'clock and escort me into town; to which I assented, and on the next day I entered Lawrence under the arrangement thus made.

I have carefully examined the deposition of Mr. Lowry, taken before the committee, and I have to state that I never said to Mr. Lowry that I had called on the Missourians to aid sheriff Jones in executing the laws or process in his hands. But, on the contrary, I stated to Mr. Lowry on the day he called on me with Mr. Babcock, as a committee from Lawrence, that the only steps I had taken to furnish sheriff Jones with a posse was the orders I had issued to Major Genral Richardson and to General Strickler, which had reference to the militia of this Territory, and to none other. I had no right to call on citizens of Missouri, and never did so, and I so informed

Mr. Lowry. His reply was, that it had been so reported, but that he knew it could not be true, and that the report had done me injustice; and he had on several occasions stated his disbelief in the report, and sought to do me justice in this respect, as far as he could.

When Mr. Lowry called on me as a committee from Lawrence, to make known the compliments of the people of that place, I informed him that the rescue of Branson by a body of armed men seemed to show a fixed and determined purpose on the part of the so-called free-State party to carry out their previous motives and determination, as made known at various meetings, and as declared repeatedly in various public papers professing to speak the will of the party; that the fact that S. N. Wood, who headed the party that rescued Branson, together with his whole command, amounting to between 30 and 40 armed men, had marched into Lawrence immediately after the rescue had taken place, and paraded the streets, and had been received at 8 o'clock on the morning after the event, by a public meeting of the citizens, who seemed to manifest a high degree of satisfaction at the means with which this first resistance to the execution of the laws had met with, together with the resolution passed at the adjourned meeting on the same day declaring there was no law, and determining to take steps themselves to bring all offenders to justice, had produced a settled conviction throughout the country that the town of Lawrence or the citizens thereof, were determined to resist the execution of the laws by an armed force, and that this conviction, together with some other matters, had produced a great deal of excitement with what was termed the law and order party in the Territory, and with their friends in the border counties in the State of Missouri; that it might be difficult to allay this excitement, unless the citizens of Lawrence would do something themselves to remove these impressions. Mr. Lowry denied and excused all the charges against the citizens of Lawrence; denied that they had in any way countenanced the rescue of Branson, or that they had resisted or intended to resist the execution of the laws; and he stated that sheriff Jones could at any time come into Lawrence and arrest any one against whom he had a writ, without molestation.

In reply, I informed Mr. Lowry that I had been assured by persons in whom I had entire confidence, that the citizens of Lawrence, from the day of the rescue of Branson, had commenced a military organization and active preparations to defend the place even before any forces had collected as a posse under sheriff Jones, and that I had been further informed that there were a large number of those who had been engaged in the Branson rescue who had fled to Lawrence for protection, and that they were still in that place, and the citizens and those assembled there were protecting them, and that they were preparing to protect them against arrest by the sheriff, by arming themselves and fortifying the town; and that it was the belief in the public mind that this was the real cause of so many persons rallying to the support of the sheriff, to aid him in making the arrests notwithstanding this armed resistance. I was assured by Mr. Lowry that I had been entirely misinformed, and that the only preparations that were being made in Lawrence were for self-defence;

that there were but three individuals engaged in the rescue that resided in Lawrence; that the others resided in the country, and many of them in the neighborhood of Hickory Point, where Dow had been killed; that no one engaged in the rescue was then in Lawrence; that they had all left that place in a few days after the transaction took place, and that he was entirely ignorant of the places to which they had fled; but that at any time any of these persons should come to Lawrence, sheriff Jones could arrest them without the slightest molestation from the citizens of that place. I replied to Mr. Lowry, that if the facts stated by him were true, I had certainly been very much misinformed; that sheriff Jones was only justifiable in collecting a large posse of armed men on the ground that the persons against whom he had writs were in the town, and defended from arrest by an armed body of men; that I had directed Jones to make no attempt to enter Lawrence at the head of his posse until he received orders from me; that I would visit the Wakarusa camp immediately and investigate the whole matter, and if I found the facts as he had stated them, the sheriff's posse, as such, should not enter the town of Lawrence; that it was only on the ground that the defendants were in Lawrence, and the people assembled there were defending them from arrest, by armed resistance, that would justify the sheriff in entering the town with an armed force sufficient to overcome the offered resistance. I had previous to this expressed the same views to sheriff Jones.

I stated, at the same time, to Mr. Lowry that the introduction into the Territory, by the free-State men, of Sharpe's rifles, a weapon used only for war purposes, artillery, and munitions of war, in connexion with the fortifying of the town, the known existence of a secret oath-bound military organization, together with the armed resistance of the sheriff and the expulsion from the Territory of a number of pro-slavery families by the other party, have produced a conviction, very general, that there was no security to laws, as those rifles, artillery, and munitions of war were in the hands of the free-State men. That the introduction of these warlike implements was received by the other party in the light of a declaration of war, and that if the citizens assembled in Lawrence would consent to give up their rifles and artillery, either to Colonel Sumner or myself, to be receipted for, and returned when confidence should be restored, that I had no doubt such an act on their part would enable me at once to prevent any disturbance at Lawrence; but without such an act on their part I could not say whether I could control the sheriff's posse or not. That having assembled together with settled convictions that there was no security while those implements of death remained in the hands of the other party, they might insist on this way of giving up their arms without regard to orders from the officers of the government; but that if these arms were voluntarily given up, I would guaranty that no harm would befall Lawrence. In reply to this, Mr. Lowry did not say that they would not give up their arms to myself or Colonel Sumner, but he stated that he did not know how that proposition would be received by the citizens of Lawrence, as he had never heard the subject spoken of or discussed; but that he was

confident they would not give up their arms to the Missourians—meaning, as I understood him, the sheriff's posse. I said at no time to Mr. Lowry that I would refuse the citizens of Lawrence to give up their arms; but the supposition was with me that they should place them rather in the hands of Colonel Sumner or myself voluntarily, as the most certain way to put an end to the threatened difficulties. This same proposition was made by me to Dr. Robinson and Colonel Lane in the town of Lawrence, and for the same purpose and with the same view, on the first day I visited Lawrence. The proposition was taken under advisement by Dr. Robinson, to be submitted to the people of Lawrence for their consideration. Dr. Robinson informed me, on my return to Lawrence next day, that it had been rejected by the people at a public meeting the night before, by an almost unanimous vote. I never stated to Mr. Lowry that there had been sixteen houses burnt at Hickory Point at the time of the interview with him and Mr. Babcock. I had never seen either before. I had accurate information, in the shape of affidavits, as to the number of houses that had been burnt at Hickory Point; that number was three—the houses of Mr. Buckley, Mr. Coleman, and Mr. Hargous. Mr. Lowry, in his interview with me, complained much of the Missourians taking part in the affairs of the Territory. In seeking to explain this matter truly, as I thought, to Mr. Lowry, I stated that a number of proslavery families had been driven out of the Territory by force and by threats; that I believed that some sixteen families had so left the Territory, and at one time the report had been current that sixteen houses had been burnt down; that most of these families had fled to their friends in Missouri, and some were at the Mission, where we then were, with their children; that these actual outrages, greatly exaggerated by rumor, had become known to the citizens of Missouri, who had become apprehensive that their friends in the Territory were about to be driven out of the country by force and violence, and that many of them were in actual danger of their lives; that, under these impressions, it was natural that the people of Missouri would cross over the line to defend their friends from actual expulsion and threatened danger to their lives. I alluded to some resolutions that had been passed in Lawrence, establishing a kind of self-constituted court to try, convict, and execute men without any of the forms of law; and I stated to Mr. Lowry that either he or I, placed under similar circumstances, would in all probability cross the line too; that I thought great allowance was to be made for those people, and that so long as they did no act violating the laws of the Territory, but only acted in co-operation with the public authorities in maintaining and enforcing the laws, no censure should be visited upon them. Mr. Lowry seemed to acquiesce in these views, but claimed that the excitement in Missouri and in the Territory was based, in a great measure, on false rumors. This was true to some extent, but not to the extent claimed by Mr. Lowry.

I made no argument against the free-State party in the presence of Mr. Lowry, except to state that I thought they had taken a position in regard to the validity and execution of the laws that was entirely wrong; and that their determination to maintain that position by

force of arms must, if persisted in, lead to the most painful consequences. Mr. Lowry did not claim that the Territorial laws had nothing to do with the then difficulties. On the contrary, it was well understood by both of us, that no other laws were involved in those difficulties. No declarations or resolutions had been made or passed against any of the other laws of the Territory. It was for violating the Territorial laws that warrants had been issued and placed in the hands of sheriff Jones, and it was under the Territorial laws that Branson had been arrested, and it was the Territorial laws that sheriff Jones was seeking to enforce by means of the posse then surrounding Lawrence.

What Mr. Lowry calls "the treaty" was drawn up in this way. On the first day I went into the town of Lawrence, after quite a lengthy interview with Dr. Robinson, I drew up a rough draught of a memorandum of the terms on which I thought the difficulties could be arranged, and if agreed to by the people in Lawrence, there would be no difficulty in getting the forces to retire. I left that draught with Dr. Robinson, who proposed that he would submit the matter to a meeting of the people. Next day he gave me a memorandum of the terms on which the citizens of Lawrence were willing to arrange the matter; at the same time, informing me that he and Colonel Lane were authorized to agree to such alterations as they might think proper, except as to giving up their arms. I took this memorandum and re-wrote it, making various alterations, which was signed by both parties. I never said to Mr. Lowry, or to any other person, that I had any fears of the men on the Wakarusa doing me any personal violence; I never entertained the slightest fears of the kind from either party. I had no cause to entertain any such fears, as I had been treated with the utmost respect and kindness by both parties pending the difficulties.

I never had but one consultation with Mr. Lowry in my life, and that was the one at the Shawnee Mission. I may have stated to some person in Lawrence that I knew there were a good many people in the Wakarusa camp who were not satisfied with the arrangement I had made, principally on the ground, that the rifles were not given up; and I am certain I never made even this statement to Mr. Lowry, as I never had but the one conversation with him, as above stated.

I have read the evidence of Dr. Robinson in this case. It is true, I complained of the people of Lawrence, that they had kept entirely aloof from me, and that, of course, I had heard only one side; and I stated to him that I was satisfied, that many of the rumors that had been in circulation were untrue, or greatly exaggerated. But I stated at the same time to Dr. Robinson, that there were certain facts that could not be denied: the rescue of Branson by an armed force; the repudiation of the laws, as having no force, and the resolution to resist their execution to a bloody issue; the introduction into Lawrence, and the distribution in the Territory, of Sharpe's rifles; fortifications of the town, and the threats made in the public papers of Lawrence to lynch some of our citizens. I stated to Dr. Robinson, that while in many things they had been greatly misrepresented, yet there were well-established facts that could not be denied.

I never stated to Dr. Robinson that I was satisfied that the citizens of Lawrence had violated no law, for I had every reason to believe that some of them had violated law, and had been engaged in the rescue of Branson. Indeed, it was admitted that N. S. Wood, a citizen of Lawrence, was the leader of the armed band that rescued Branson.

I did not state to Dr. Robinson that if I closed negotiations the first day, on terms honorable to the people of Lawrence, the people in the camp would raise the black flag. What I did say was this: After stating the excitement, and its cause, that existed in camp, that there was danger, if the people were not satisfied, that the black flag would be run up; that if this should be done, it would be against the express orders of all the officers in the camp; that in dealing with these difficulties more regard had to be paid to the state of public opinion; that it would be useless for me to make an arrangement which would not be acquiesced in by the people after they should be dismissed from the sheriff's posse. And these remarks were made to Dr. Robinson with a view of getting him and the people of Lawrence to agree to as favorable terms as possible, so that there would be no difficulty in getting the forces to leave in good order.

I did not say to Dr. Robinson that the posse formed but a small part of the forces of Wakarusa. Such would not have been true. The posse was over 1,400, as reported to me by Gen. Strickler; and I suppose there were about 500 that had never organized themselves, or been placed under the sheriff.

The fears that I expressed to Dr. Robinson were, that after the posse should be dismissed, they might take redress in their own hands if the arrangements were not satisfactory.

I positively deny that I agreed to any arrangement that should not be reported to the camp until they had left. So far from this being the case, I informed Dr. Robinson that I had procured a committee of thirteen of the most influential captains to meet at Franklin that night a committee from Lawrence, at which meeting the arrangements were to be made known and explained. We agreed to leave out of the arrangement everything with regard to the arms, and that that matter should be discussed and settled by the two committees in Franklin that night. We all met at Franklin, according to arrangements. I had not the agreement with me, having left it in Lawrence to obtain the signatures of some thirty or forty of the leading men of that place. But I stated all the material parts of the treaty in the presence of the two committees, and that the arrangements were satisfactory to me; that I was satisfied there would be no further resistance to the execution of the laws; and that as to giving up the arms, that question I had adjourned to that place to be settled by the two committees, and it was so disposed. Dr. Robinson, in his speech before the committee, stated, substantially, what had been agreed on and reduced to writing, and claimed that that was all that could in honor be demanded or agreed to.

I have already explained the objects of the paper of the 9th of December last, authorizing Col. Lane and Dr. Robinson to repel any

attack that might be made on the town of Lawrence that night, and the manner in which it was obtained.

To Mr. Sherman :

Up to the time of the rescue of Branson I knew of no process in the hands of sheriff Jones against any citizen of Lawrence. The process against Branson, according to my information, was the first one that sheriff Jones had undertaken to serve in Douglas county, unless it may have been some civil process. Branson was not a citizen of Lawrence, but resided some ten or fifteen miles south, at a place called Hickory Point.

WILSON SHANNON.

KANSAS CITY, Mo., *June 9, 1856.*

Dr. G. A. CUTLER recalled.

To Mr. Reeder :

I had been lying sick at Topeka for some time with the typhoid fever, and when I had got well enough to sit in the carriage I started home. This was about two weeks previous to the war or invasion. I got as far as Leavenworth city, and was taken again. I remained there sick about a week, and then hired Mr. Warren to take me home, and also hired a horse and buggy. He took me to Doniphan, and on his way back was captured at Atchison. They immediately sent up a body of men for me, with a writ for high treason, issued by a justice of the peace by the name of Heedly, I think. They took me down to Atchison and sent an express up to Weston for assistance to prevent a rescue. I was very sick, indeed, when they took me, and could not stand on my feet over five minutes at a time. Some 30 or 40 men came from Weston that night, and tried to break into the hotel where I was, but could not succeed. Previous to that I had sent for this justice of the peace, and he would not come. I again sent him word in the morning that I was in extreme danger, and that he knew he had no right to detain me there, and begged him to come and release me. I sent for him two or three times, and, during the intermediate time, there were threats of shooting, hanging, killing, &c., and several demonstrations made. Finally the justice came, and I told him he must be very ignorant of the law if he thought he had any jurisdiction over a case of that kind. I argued some time, and finally he took me aside and told me he would acquit me. As soon as I got free from there I thought of going home, but they had the horse and buggy captured, and I waited to get that. They kept putting me off. I told them my life was in danger there, and I wanted to get home. Seeing I could not get the horse and buggy, I set about trying to get off some other way, as I could not walk, when a fellow by the name of Thomason, a two-hundred-pounder, stepped up to me, tapped me on the shoulder, and told me I was his prisoner. I asked him what he arrested me for, and he said because he could. I told him that was not good enough authority; that I had been sick a long time, and wanted to get home. He said that

did not make a damned bit of difference; that he had arrested me, and was going to send me out to Lecompton under a guard of thirty men. I told him I would not go, as such a trip would kill me then. After arguing, he told me I could take my choice, either to be hung or go to Lecompton. I told him I preferred the hanging, as I thought the trip would kill me anyhow, and the other would be the shorter way of doing it. I appealed to P. T. Abell, a lawyer from Weston, Missouri, who was standing by, and told him he knew such a course was unlawful, and he could get me, out of it. Finally, after some consultation, they concluded not to hang me, but to send me to Lecompton. They forced me into a buggy and started off, with a guard of some thirty men, though but eight or ten, who were on horseback, kept up with us; the rest were in wagons. When I arrived at Lecompton I sent for General Richardson, who was in command of a large number of troops there. He came, and I told him how I had been used, and a number of my friends; pro-slavery men did the same. He told me he would release me, which he did. Mr. Jones soon after stepped up and arrested me again; this was sheriff Jones. I asked him what for, and he said he guessed it was to be a witness against somebody; or if Lawrence was taken, to be against Lawrence, or something of that kind, hesitating very much as he said so. He showed me no warrant, but took me down to the camp. I was exposed to the most inclement weather, insulted some ten or fifteen times grossly, and came very near losing my life by being taken worse with the disease I was suffering from, and was delirious for some time. I was salivated so that my teeth all became loose. I was then taken to Benicia, and lay sick at Dr. Brooks', and when peace was declared was discharged from custody. I had no trial. I had a kind of trial in Atchison; the justice said he acquitted me, but I had no trial after I was brought down to Lecompton. I gave no bail, nor was I taken before a magistrate. No explanation was given me before I was discharged, of the reasons for my arrests, and though I asked several times, no one could tell me about it. While I was lying in the camp at Lecompton, R. S. Kelly, a partner of Dr. Stringfellow in the "Squatter Sovereign" paper, rode up before the tent I was lying in and said: "I want blood; I am blood-thirsty; I want to take this God damned abolitionist out and hang him." I was insulted a number of times, but do not now recollect all the specific cases.

To Mr. Rees:

I know only from hearsay what were the grounds of Warren's arrest. I saw no papers found upon Warren, no documents or printed books, and know nothing about them, only that I heard something had been found on him. I do not know of the existence of any secret organization for the purpose of resisting the laws of the Territory. I have never seen any printed pamphlet, purporting to be an expose of such a society. I have seen an article in a newspaper to that effect. I have not seen a printed pamphlet purporting to be a ritual of such an order. I do not know anything of the existence of such an order from any one purporting to be connected with the society.

GEO. A. CUTLER.

TECUMSEH, K. T., *May*, 6 1856.

WILLIAM PHILLIPS called and sworn.

I came into the Territory about the middle of last October. I went up to Topeka first, and got to Lawrence the day before the rescue of Branson. I attended the meeting called in regard to the rescue, and heard the resolutions passed, and the position taken by the people of Lawrence. I went down to the Wakarusa camp several times. The first time I found a company of some seventy or eighty men at Franklin, shooting at a mark. I spoke to one or two, and asked them where they came from. Two said they came from Missouri, and accused the people of Lawrence as abolitionists, and of burning the houses of pro-slavery men. I heard several that day make threats of coming up to destroy the town of Lawrence. This was the first or second day of December. The day afterwards I went down again, and went beyond the Wakarusa. They were camping on the bottom across the creek from Blue Jacket's. I crossed the creek, and met a good many parties of men coming up, and stopped and spoke with many of them. I spoke to some men in two ox-teams, and they told me they came from beyond Lexington, Missouri, and that they were going up to the camp, and they intended to take Lawrence. One of them said they were going to burn it, and drive out the abolitionists. I was on horseback, and one advanced to me and asked me if I was a Yankee. I told him I was an Illinoisan. Another said he thought I was all right. One of them told me most of their neighbors were coming up, and that two thousand men were coming up from that part of Missouri. I spoke to another party who were in two-horse wagons and on horseback, and they told me they were from Clay county, Missouri. They tried to stop me, and asked me where I was going. One of them said he thought I was a spy. I asked them for authority for asking me where I was from, and where I was going. They said they had been at the Shawnee Mission as they came up, and Governor Shannon had enrolled them. As I returned, I saw one party drive in camp with a large flag with a dark-colored star on it, which flag they hoisted in camp while I was there. The men I saw in camp were engaged mostly in drinking and shooting. I saw but one piece of artillery in camp—I think a brass 6-pounder.

On Monday, the 3d of December, I went down and passed the lines at Franklin; overtook marshal Jones about a mile from the camp, and rode with him. He told me he was going into camp, and that I could not go; that they would not allow me to cross at the ford, but would take me. In argument with him he said he was with this party, and that they wanted and meant to fight. I urged that a war might involve the whole Union. He said, "Damn the Union." I went with him to the camp, and was going to pass with him into the camp, and he told me I could not go in, and asked where I was going. I told him I was going down below. He said, after a little hesitation, that he would see me through the guards. I went to the ford at Wakarusa, and found several armed men guarding the crossing, who had stopped a wagon in the bed of the creek. It was loaded with boxes like dry-goods boxes, and the guard was breaking them up

I asked Jones if they did that, and he said, "Oh, yes!" We rode up into the narrow crossing of the ford by them. He said to the guard: "This gentleman is going down on business, and you will please pass him." The captain of the guards told him he had strict orders from General Strickler to let nobody pass without examination. He asked me if I had any arms. I told him I had no more than I considered necessary for my personal protection. He said I must give them up. I told him I was afraid to lose them, and did not care to give them up. Two of the guard came forward as if to seize me. I gave my horse a kick as they approached, and rode on to go through. Four of the guard had rifles, and the others had revolvers. All levelled their pieces at me. I did not think they would shoot, but Jones cried, "For God's sake stop; don't make the men do anything rash." I had ridden about eight paces and stopped, and asked them by what authority they stopped me. They told me they had been enrolled as a military force by Governor Shannon. They insisted upon taking my arms. I took one small pistol that I had and gave it to Jones, and told the captain of the guard I did not know him, and could not give it to him, and told Jones I would hold him responsible for it. Jones said if I would go back to the camp he would try to get authority to see me through. I went back to the camp, and they kept me there about an hour and a half. An officer came whom I did not know, and have never seen since. He and Jones talked together for a while, and then they took me to the ford and let me pass. I demanded my pistol of Jones, and he gave it to me.

I rode that day down to the Shawnee Mission, intending to complain to the governor. The road was full of armed men coming up. I met them all the way. Many of the companies tried to stop me and question me, but I got down without any molestation. The governor was in Westport, as I was told, getting despatches from the government. I then rode into Westport after night. All around Westport there were camps of armed men. The governor had gone back to the Mission before I got back to Westport—so I was told. I then started down to Kansas City very late at night, and was stopped about a mile from Kansas City by a party of men who told me they came from Westport. They told me I was their prisoner. I asked them if they had a warrant, and they said "No." I told them if they had a warrant I would go with them; but if they had not, I would not go. I asked their authority, and they told me the governor. I asked which governor, and they told me Governor Shannon. I told them we were in Missouri. One of them swore pretty hard, and said it made no difference; Governor Shannon had given them orders to let no suspicious persons pass out of the Territory. They told me I had come from the Territory, and they asked me if I had not? I said I had. They asked me if I knew General Pomeroy? I told them I did by reputation, but I had never seen him. They told me they thought I was carrying despatches to him, and they would take me back to Westport. When they told me they would take me, I told them "Very well." I asked their names, and only one would tell me, and he said his name was Jones, but no connexion of sheriff Jones. He was captain of the party. He told me that he

wanted no blood shed and no trouble, and asked me to go with him to a house about a quarter of a mile ahead, and said, if I went there, they would not molest me until I got to Kansas City, where he said they were going; and if I was all right, then they would let me go. I went to the house of Mr. Milton McGhee, I think. When there I thought, from appearances, they were going to seize me, and I appealed to Mr. McGhee as a brother Odd Fellow, as I saw he was one, and he interested himself in my behalf. He and Jones were out conversing a long time. Mr. McGhee came in and told me these men were going to seize me and search me, and the only way to save me was for me to submit to a private search from his hands. I at first refused, but, as the men were getting very drunk, I consented, and he took me with him to a room up stairs, with another man he called "Doctor," and there the two searched me. McGhee declared I was all right, and told me I was under his roof, and he would protect me, if necessary; but told me, when I was very indignant at the search, that he could not have prevented it. They kept me till the next morning—till nine o'clock. McGhee apologized the next morning for the treatment I had received, and said that he had done all he could, but that he was a member of another secret organization, and acting under their orders. Said he: "I am a border ruffian, and I am not ashamed of it." I reasoned with him. He said that by the passage of the Kansas-Nebraska bill, there was a fair trade—that the South would get Kansas, and the North, Nebraska; and the damned Emigrant Aid Society meant to swindle them out of it. He said that the men of Missouri would wade knee-deep in blood before Kansas should be a free State. I heard the party talk of going up the next day to the siege at Lawrence. They said the battle was to be the day after the next, and they wanted to be up in time. Some of them said they could not leave their business, and would rather pay. I also heard them plot to lynch General Pomeroy, who, they said, was at the American hotel, in Kansas city. The only point of difficulty was, whether they would have time to do that and go up to Lawrence.

WILLIAM PHILLIPS.

LAWRENCE, K. T., *May 9, 1856.*

A. ALLEN called and sworn.

Examined by the committee:

I came into the Territory, from Missouri, in November, 1854. I left Topeka early in the morning of the 30th of March, 1855; came down to Tecumseh, and stopped there a part of the day, and then came down to Lawrence, arriving here in the afternoon about three o'clock. I had lived in Missouri nearly two years before I came into the Territory, and was acquainted with a number of persons I saw that day in Tecumseh, who were Missourians, and still live in Missouri. I saw them vote there. I saw a man by the name of Holloway, from Jackson county, Missouri, and others; they said they came there to vote.

On my road from Tecumseh here I saw the road lined with people on horseback, as many as 200 men, most of them armed, and some of them I knew to have lived in Missouri. I met most of them just after I left Tecumseh. Those that I knew would stop and speak to me. I talked with one at Big Springs for a while, and then came on to Lawrence. Here was where I was living at the time, and the crowd about the polls was so dense that I could not get a chance to vote till near sundown. I saw several here I had known in Missouri, but I do not remember their names, except that of Colonel Young.

I was doing mercantile business at Topeka last fall, and the Thursday before the peace I left Topeka in the morning to go to Kansas City to purchase goods. I came down in company with a pro-slavery man who lived in Kansas City. I stopped in Franklin over night. The next morning a company from the camp on the Wakarusa waited upon me, and took me into camp, saying that the general had sent for me, and wished to see me, as they did not consider me a safe man to go through the country. Captain Wallace, of Franklin, commanded the company, and took me to General Strickler, who asked me what my politics were. I told him I was a free-State man. He said they would have to keep me for a time. I was then conducted to the prisoner's tent, or "Yankee tent," as it was called. I saw General Pomeroy there, and also a company of United States surveyors, who were kept there as prisoners. They were drilling all the time I was there. They had three cannon there, and the companies appeared to be armed with United States arms. They kept me there until the following Saturday at 3 o'clock in the afternoon. They made no charges against me, and I had no trial. There were three of the United States surveyors detained there. The gentleman who came down from Topeka with me, and who was named Chick, joined the forces there. One of the surveyors was named Conolly, or Conway, I think, and was detained because he was a free-State man. The officers treated us very well, though there were generally from fifty to one hundred of the soldiers standing around our tent and passing jokes upon us. I do not know who were the captains of the guard over us, as they were changed frequently. General Strickler stood guard over us once for about half an hour. Food was furnished us, but we were allowed no writing material, except once when I requested to be allowed to send an order to Kansas City for goods, as I could not go myself. After I had written it, General Strickler required me to strike out everything that would give any information as to where I was, and to write it over again, and it never reached Kansas City. There were no other prisoners at Wakarusa, I think, except in one tent.

On Friday night, about 11 or 12 o'clock, it was reported in the camp that one of the damned Yankees had shot one of the picket guard belonging to the camp, and quite a company gathered around the tent, and I heard from various quarters, "hang the damned Yankees that are in the tent." I saw them have ropes, and they acted as though they desired to hang us. A number of the officers gathered around the tent, and after a time succeeded in quieting them. About half an hour afterwards, David R. Atchison and Colonel Boone, of

Westport, very quietly came into the tent and requested General Pomeroy to get ready as quietly as possible and follow them, as they were afraid of his life from the soldiers, who they were afraid would collect there and hang him. He did not know them, and declined to go. General Strickler then came in, and they told him who they were, and wanted to take him over to the house of Blue Jacket's across the creek, where the headquarters were. He then went with them there, and I saw no more of him. I passed the guard once with the word "Stringfellow." I was standing in front of the tent after dark and was taken for one of the guard, and one of them asked me for the password. I pretended I had forgotten it, but I heard him give it to some one else. I should have left that night, but General Strickler had promised me that I should be at liberty in the morning, and I wanted to leave with full honors.

The next day, in the afternoon, one of the guards told us that they were afraid to release us then for fear the crowd would mob us, as Gen. Strickler could not control them. They sent the cannon out on the prairie to practice, and most of the crowd went out to see them. The cannon they had were United States field-pieces, and I think were ten or twelve pounders. I do not know where they came from; but I saw them afterwards going to Missouri. I knew a great many of the men then in the companies, some from Platte and Jackson counties, and from the city of Liberty, Missouri. I should judge that but few of those persons there were citizens of the Territory; but all spoke as if they came from Missouri. I do not know sheriff Jones or Coleman. After the cannon were sent out, they marched us over to Blue Jacket's and gave me a written discharge, signed by Brigadier General Strickler, as commander of the Wakarusa forces, for the guards to allow me to pass unmolested. They kept about seventy-five dollars' worth of things they took from me, consisting of two pairs of blankets, saddle, bridle, and martingale, and revolver. I gave them over to Gen. Strickler to keep. I asked him in Lawrence for them, and he said he knew nothing about them, but supposed they had been returned to me. I never saw them afterwards, or heard what became of them. The horse I rode belonged to the pro-slavery man Chick, who came down from Topeka. I afterwards went down to Missouri, and saw some of these companies there stringing along as though they were returning from some frolic. I saw the cannon going down at that time. After they let me go, on Saturday afternoon, I went back to the camp again, and went round awhile. There were some persons there from Kansas City who appeared to be drunk, and who got a rope and followed me about and threatened to hang me. I saw these forces stop the mail and detain the mail-driver for an hour or two while I was prisoner. I did not see what was done with the mail. The wagon was driven on past the tent out of sight. The driver got out and stood by the tent.

ASAPH ALLEN.

LAWRENCE, K. T., May 9, 1856.

WILLIAM JESSEE testifies:

To Mr. Woodson:

I know of no secret military organization in this Territory. I know of no military organizations here contrary to the laws of the Territorial legislature. I know of some companies, but do not know as they can be called military organizations. In our troubles that we have had lately there have been some companies partly organized, but whether under the Territorial laws or not I do not know. I have been to none of their organized meetings. I have seen no companies on parade except at this place, last fall. In the latter part of November, or the first December, 1855, we considered we were justified in gathering here. The report was that companies were coming from Missouri to destroy this place and vicinity, and run all the free-State men out of the Territory. I do not know of any organization except at that time. We were here defending the place and our property. We were drilled more or less every day, under the command of Gen. Robinson and Col. Lane.

That is all I know of the organization until after Mr. Shannon came here and the treaty was made, when there were officers appointed and the organization was more complete. I do not know how many men there were here, but there may have been five hundred to six hundred, perhaps seven hundred. We were more or less armed. Some of us had rifles, some shot-guns, some Sharpe's rifles, and some revolvers. Most of the time we went through regular daily drills. One piece of artillery came in during the time. I saw but few sabres and swords, probably but two or three were all I saw. I brought my rifle from Illinois, and I bought my shot-gun at St. Joseph's. I do not know how any of the rest got their arms, except by report. Some who were in this organization at that time told me they got their arms from Mr. Abbott, by paying him so much for them. It was said that Mr. Abbott was sent east and got these arms. I understood that two dollars apiece were paid for them by persons here; they were Sharpe's rifles. I think that Captain Walker received from 20 to 30 from Mr. Abbott to be given to his company. I do not know anything of where the other arms came from. I heard that this cannon was sent for to, and received from, Kansas City at that time. I do not know when Mr. Abbott was sent east. I have understood that he lives some five miles from here, on the Wakarusa. I do not know where he got his guns. We were here for self-defence, so far as I understood, against invaders who came here and threatened our property and our lives. If my memory serves me right, this was probably in October or November. It was the latter part of October that this organization commenced here. I do not know that there was any drilling here before that time, or any preparations made in the way of receiving arms. I heard from men organized here, that there were reports some time before that we were to be destroyed, and some preparations were made; but I do not think anything was done so early as the spring before, though there was some talk about it. The most I knew—and that was only by report—was, that Governor

Shannon was at the head of these men we were against. I knew General Richardson; he held the office of general or colonel, I don't know which. He resides in St. Joseph. I saw Col. Boone, and he was said to be one of the commanding officers of that army, but I do not know particularly who said so. I know nothing from my own knowledge of the sheriff of Douglas trying to serve writs at that time. I know of no meetings at that time, or passage of resolutions to resist the laws of the Territory. I know of no combination to resist the laws of the Territory. I do not know where Mr. Abbott was sent. I do not know of anybody else being sent for arms, or of any other arms being received. I do not know when these arms were received by Mr. Abbott. The company that got their arms, got them after the Missourians began camping there.

We did not undertake to resist Governor Shannon, but the mob of Missourians he fetched with him, and which we were going to resist in self-defence. I could not say who this mob was under command of, except by report. They were encamped on the Wakarusa and at Franklin. A part were said to be at Leecompton, and a part across the river here. The purpose of this organization was not to resist the execution of the Territorial laws, but in defence of our lives and property against this mob of Missourians who were said to be coming against us.

I was at the Big Springs convention. There was something passed we called the repudiation of the laws of the Territory, but I do not know as that was in the form of a resolution. We said there were no laws in the Territory, and we repudiated those that were said to exist. I do not recollect of any resolution passed there, and not printed, recommending the organization of military companies to resist the laws. To the best of my recollection and knowledge, no resolution was passed, and nothing done, by that meeting, except what was printed, as ordered by the meeting, and circulated.

The action of the meeting here in Lawrence, in August or September last, was printed. To the best of my recollection, the conclusions of the meeting were reduced to writing, and printed. I have been to no meeting where this was not done. I do not know where these resolutions can be had, or in what papers they were published, except the "Herald of Freedom" and the "Kansas Free State," published here, though I could find them at home. I do not know who was the secretary of the meeting.

By Mr. Sherman:

We have had several meetings here through the season. The one I refer to was, I think, in August last.

Cross-examined by Mr. Reeder:

The inducement for making the organization at this place, was for the defence of our lives and property. We apprehended some destruction of life and property here at that time. This neighborhood was invaded by a body of Missourians soon after that. The report was that there was a good deal of property taken and destroyed by these Missourians. This I heard from persons in this organization who

had their own property destroyed. There was one of our citizens murdered at that time. I saw him myself after he was dead. His name was Thomas Barber, one of my nearest neighbors. I learned from the persons that I have before referred to, that one of our citizens was murdered—Mr. Thomas Barber. I heard also from the same persons that Dow had been murdered. This military organization commenced here about the same time that this body of Missourians marched into the Territory, and camped on the Wakarusa. Property was said to be destroyed in various ways—killed, eaten up and burned. A great many teams were stopped on their way here. I understood that travellers were stopped on the highway and made prisoners when going about their lawful business, and that boxes and trunks of travellers and others were broken open and searched by the Missourians camped at Wakarusa, some five or six miles from here. I heard of wagons loaded with goods being stopped and searched, and such as they wanted taken, and corn and potatoes and things of that kind taken, and orders given for them on Governor Shannon, I believe, but I do not know whether it was with his consent. I do not remember as I heard of the mail being stopped.

This military organization I have spoken of was not got up, as I know of, for the purpose of resisting the execution of any law. Sheriff Jones, at that time, came in and out of the town as he pleased most of the time, except at the latter part of that period, when he was brought in by an escort, at one time, but not as a prisoner. I heard of prominent Missourians being in the camp. General Atchison was reported to be at the Wakarusa; also, across the river here. I do not remember about General Stringfellow. I don't know what residents of the Territory were in this camp. I wintered in St. Joseph a year ago last winter, and General Richardson resided there then. He had a claim in the Territory, but did not reside on it at that time. My first knowledge of this was nearly twelve months before this invasion. The conversation I heard in the spring about a military organization for defence against invasion was directly after the 30th of March invasion, and was intended for self-defence, and our right of suffrage.

To Mr. Woodson :

Question. Was this resolution passed at the convention at Big Springs? viz:

“Resolved, That we will endure and submit to these laws no longer than the best interests of the Territory require, as the least of two evils, and will resist them to a bloody issue as soon as we shall ascertain that peaceable remedies shall fail, and forcible resistance shall furnish any reasonable prospect of success; and that, in the mean time, we recommend to our friends throughout the Territory the organization and discipline of volunteer companies, and the procurement and preparation of arms.”

A. I think it was, though it is not exactly as I thought it was passed at the time, for I thought the words “bloody issue” were struck out.

Q. From your own knowledge, and from information derived from others in the organization to which you belonged, was the organization gotten up to meet the contingency contemplated in that resolution?

A. I think not, in this last organization. We have never had any other organization. I do not know as any organization has ever been gotten up in regard to any portion of that resolution.

Continued by Mr. Woodson :

I do not know of any arms being procured upon the recommendation of this resolution. Before the passage of this resolution, which was on September 5th and 6th, 1856, there was no organization and procurement of arms in this Territory. I think the commencement of the organization of military companies was at the commencement of our difficulties here last fall. There was no organization until that time, November and December ; and I do not think there was any complete organization until it was given by Governor Shannon, by giving commissions to General Robinson and Colonel Lane. The first arms that I know of being procured was in the first of that organization.

The chairman of the Big Springs convention was Judge Smith, as he is called. I do not know who draughted the resolutions. I forget who was the vice-president or secretary. I do not know all who had a part in drawing the resolution that has been read here. I believe Judge Schuyler and John Wright were on the committee, but I cannot recollect the names of them all. I believe I was on that committee. The proceedings will show, as we made no secret about it.

To Mr. Reeder :

As I understood, Governor Shannon repudiated these Missourians at the last as part of his forces, though report was that at the first he commanded them. I did not hear Governor Shannon say so myself. It was against these Missourians that he repudiated that our organization was made. I did not hear Governor Shannon say that he recognised any of them, as I never heard him say anything at any time.

To Mr. Woodson :

I do not know that I can speak as to the full extent of the intention expressed here by our organization, but I understood that we were here to defend ourselves and our property against any body of men who came here to destroy us and our property. I do not recollect of hearing anybody say we were to resist Governor Shannon and the men he was in command of.

To Mr. Oliver :

To my understanding, it was not the purpose of this body of men in this place to resist the laws of the Territory, to be carried out by the sheriff, assisted by Governor Shannon and his forces. Our organization here had nothing to do with or against any laws, so far as I understood it, but for self-defence and the defence of our property.

To Mr. Woodson :

When Governor Shannon was approaching the city with his posse, in aid of the sheriff, I heard no expression as a body of men in regard to it. I believe I can say, upon report, that it was not the intention of the people of Lawrence to resist the writs in the hands of the sheriff.

To Mr. Howard :

As an organized expression of the people here, I know of no expression of opinion as to the obeying of the Territorial laws or not. I frequently heard individuals of this organization express themselves upon this subject. I do not know as I can name any of them, but I think, probably, a quarter of them, or more, spoke of it, but never except as an individual matter. I heard no man who undertook to speak for any but himself. The general tenor of the sentiment thus expressed was to resist, except the United States officers, and I don't know that any one expressed himself as being willing to resist those officers. What I meant by Territorial laws, was the laws of the Territorial legislature, and not the organic act. I never heard any man in the Territory express any disposition to resist the organic act that I know of.

To Mr. Oliver :

These expressions of opinion I have referred to were made at the time we were organized here, and when it was understood that Governor Shannon was coming here with his forces.

To Mr. Reeder :

These expressions of opinion were not in favor of a resistance to the Territorial laws, by the means of this body of men then assembled here, but by individuals; each man to act for himself, resist or not, as he chose.

To Mr. Sherman :

Q. Was it the purpose of the company of men assembled at Lawrence to resist Governor Shannon, aided by the citizens of the Territory, or to resist the Missourians, who they understood had come to invade them?

A. My understanding, from all that I heard said, was that if Governor Shannon had come with the militia of the Territory alone, no man would have resisted him. But the body of men we assembled here to resist, was the Missourians who came here with the threats to destroy us and our property.

WILLIAM JESSEE.

LAWRENCE, K. T., April 30, 1856.

ROBERT F. BARBER called and sworn.

I live six miles west from Lawrence, about three-fourths of a mile south of Judge Wakefield's. Thomas Barber was my brother. He

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was shot on the 6th of December, 1855, on Thursday, about two o'clock in the afternoon. I was in company with him at the time. He was shot about three and a half miles from here, going west. I was by his side when he was shot. My brother, and brother-in-law, Thomas M. Pearson, and myself, had started from Lawrence after dinner. We were on horseback. I told my brother, Thomas Barber, that I had better come back to Lawrence and borrow a pistol. At that time we had got but about 200 yards out of town. He said he did not think it was necessary to have one; but if I wanted to go back and borrow one, he would wait for me. I then came back and got one of Colt's naval revolver pistols, and then rode back after him. After we had got, I should judge, between 2½ and 3 miles from Lawrence, we saw a party of men. We remarked, when we saw them, that they were Missourians, and supposed, at the time, there were 12 or 15 of them.

They came round a corn-field, directly up towards the California road that we were then on, but close to where we intended to turn off towards home. We rode on some distance, not very far, and this party came right towards us, and two of them rode out from the rest, and rode on and headed us. The cornfield that they came round when we first saw them, was on the north side of the California road. The road we intended to turn off in to go home, led off south from the California road.

We had turned off on our road home, and had gone some little distance on it, when those two men left the others and rode along to head us off. They rode right up to us, and when they came off against us, one of them ordered us to halt. The rest of the party to which those two belonged had crossed the California road, and got into our road behind us. When we were ordered to stop, the two men were not more than five yards from us. We halted immediately, and one of the two rode directly before us in the road, and turned round facing us. The other was on our right side, a very little behind, if anything. My brother and myself were side and side—my brother on my right. My brother-in-law was about the length of his horse behind me, a little to my left.

The one that was ahead of us did all the talking. He asked us where we were from. My brother told him we were from Lawrence. The next question was, where we were going. One of us, if not both, told him we were going home. He asked then what was going on in Lawrence. My brother told him there was nothing very particular going on; but the citizens were preparing for defence, or I think something near that. This man then said they had orders from Governor Shannon to have the laws of the Territory enforced. My brother asked him what laws the citizens of Lawrence, or the citizens of the Territory in general, had disobeyed. The man used some expression after that—I do not recollect what—and said, "what in hell was the reason the citizens of the Territory could not obey the laws?"

When he had made that remark, he ordered us to turn our horses' heads and turn back, pointing to the main body of men behind us. My brother said we could not do so, as we wanted to go home. He then remarked, and said, "you won't, hey?" and then rode around

to the right of my brother, drawing his pistol as he started. My brother turned his horse a little towards him as he rode around to our right. Having seen this man drawing his pistols, I endeavored to draw mine. My pistol was behind me, and the flap of the holster was buttoned. As I was getting my pistol out, I saw this man ride up and point his pistol directly towards my brother, and fire, and then ride back behind us. By that time I had got my pistol ready, and turned my horse slightly in the same direction my brother had done, and fired at the man that shot at my brother. About the same time I shot, the other man, who had ridden up and headed us, shot also. I am not certain whether either of these men shot more than once each. When the second shot was fired, the one who fired rode back to where the first man had gone. About the time the two men had got together, I shot again, having turned round still farther. They two came together, said something, I did not hear what, and then rode off as fast as they could go to the main party, which was between 300 and 400 yards off. After they started off for the main party, I fired at them the third time. After I shot the third time, my brother said, "Boys, let us be off, too." We then started off in a gallop towards home. My brother had no arms with him of any kind, but my brother-in-law had a pistol; but he did not fire it at all. After we had ridden on about a hundred yards, my brother said, "That fellow has shot me." This was the first intimation I had that he was shot. I asked him where he was shot. He pointed to his side, a little in front, just above the hip, and I said, "Not possible, Thomas." He nodded his head, and I could just hear him say "Yes," and he then immediately sunk down on his horse. I saw he was going to fall, and I rode up to him and caught him tightly by the left shoulder, and held him on his horse; in which manner we rode fifty, perhaps one hundred yards. I could hold him no longer, and I called out, "Whoe," and both our horses stopped. Just as we stopped, my brother fell between our two horses. I immediately jumped off and went to him. After I got off, I found he was dead, and I think he was dead when he fell. I asked my brother-in-law then what we should do. My brother-in-law was then sitting on his horse, having stopped as I did. He asked me if my brother was dead. I told him I was pretty sure he was dead. After I said this to my brother-in-law, I saw this party coming towards us again. I thought at the time that the whole party was coming towards us, but I may have been mistaken. We had not got out of sight of the party after the shots had been fired. I asked my brother-in-law what we should do; and he said, "Let us stay here, and let them take us prisoners." I told him my brother was dead, and we could do him no good by staying there, and they would have to kill me before they took me prisoner. He said, "Then let us be off." I jumped on my horse, and we started off in the road towards home. My brother's horse came right on after us. After we had rode perhaps 200 yards or more, as I was a little ahead of my brother-in-law, he asked me if I saw them coming after us. I looked back, and I told him I saw two men coming, and they were about where my brother lay. He then asked me again to stop and let them take us prisoners. I said they should not take me prisoner then at all. He said then, "Let us ride like the devil, and get out of their road."

We rode on as hard as we could go, and I do not think we saw them any more after that.

We were then going right towards my brother-in-law's house, and we made directly towards that. His house was just across a ravine, about 400 yards from it. Both of us rode into the ravine, my brother-in-law in one direction and I in another. When I got into the ravine I jumped off my horse, and found it was shot. I then left my horse standing there. Supposing these men were following us, and would try to find us, I went on about a mile in a northwest direction on foot. I did not see my brother-in-law again until about 10 o'clock that night.

My horse was shot just behind the fore shoulder, and I knew nothing about it until I jumped off him when I was in the ravine. The horse died that night. The first place I stopped at after I got off my horse in the ravine, was at the house of Mr. Hazelton. I told him what had happened, and he started right off to get some persons to go back with us to get my brother's body, as we wanted to be prepared to meet any of this party that we thought might be watching us, expecting us to come back after his body.

I did not know either of the two men who shot at us. The one that was in front of us rode a grey horse. The other one rode a sorrel horse. None in this party of men had military clothes on, that I recollect of. None of our party had any military clothes on, but were dressed in citizen's clothes. I have never seen any of those persons since, to know them.

R. F. BARBER.

LAWRENCE, K. T., *May 10, 1856.*

THOMAS M. PEIRSON called and sworn.

I reside between six and seven miles from this place, west. I was in company with Thomas Barber on the 6th of December, 1855, when he was shot. We had started from Lawrence that afternoon, myself and Thomas and Robert Barber, my brothers-in-law, for home, and had got about 3½ miles on the California road, when I saw a body of ten or twelve men. A few minutes after we saw this party, we turned off to our left from the California road towards our home. Just after we turned off, or about that time, two men of this party we had seen crossed the California road, and we slackened up when we saw them. We went on that road something short of a mile, and then two men headed us, and came in before us and stopped us. They inquired where we were going, and we told them we were going home; and inquired where we had been, and we said at Lawrence. Thomas Barber did the talking for our party. They asked us what was going on in Lawrence, and Thomas Barber said there was not much. After some other conversation, they ordered us to wheel round and go back. Thomas Barber told them we could not do that, as we wished to go home to our families.

As soon as he made that reply, one of the two immediately drew his pistol, and took deliberate aim at Thomas Barber and fired. The other one fired immediately afterwards. As soon as they drew their pistols, Robert Barber drew his pistol; and as soon as they fired, he fired some shots at them. Those two men then turned and rode back towards the main party who were behind us. Thomas Barber then said: "Let's be off," and we rode some 80 or 100 yards as fast as our horses could go. Robert Barber then caught hold of Thomas, and held him on his horse some 100 or 150 yards further, when he fell. As my horse was a little slower than the others, I had fallen in the rear a little. As soon as he fell off, Robert Barber jumped off his horse. We stopped there a minute or two, to ascertain what we should do. I was for stopping and giving ourselves up. Robert said he would not give up, and he was pretty sure they would kill us; and as he thought his brother was dead, we could do no good by staying with him. We looked around and saw, as we thought, the main body of this party riding towards us; and Robert got on his horse again, and we started off towards home. I did not know any of these horsemen, and have never seen any of them since, that I know of. One of the two who stopped us rode a grey horse, and the other a sorrel horse. The one who rode the grey horse, and the one, I think, who shot Thomas Barber, was, I think, a short, heavy-set man. I do not recollect his dress, except that I think his clothes were light-colored.

THOMAS M. PEIRSON.

LAWRENCE, K. T., *May 10, 1856.*

Mrs. JANE W. COLBURN called and sworn.

I live about four and a half miles west of Lawrence. I lived there the early part of December last. I recollect the time when Thomas Barber was killed. I saw the three horsemen coming from towards Lawrence, on the California road. I saw the party of horsemen ride across the California road, after the other three had turned off from it, and then I saw two turn off from the others, and ride off towards the three, and come up with them, and then they all stopped. They were together but a short time before I heard three reports of a pistol, and saw the smoke round the three who rode away from the other two after this firing, and passed down by our house a few yards from it. The two stopped where the firing was. The body fell off the horse about forty yards from our house. In two or three minutes my husband and I had got out to where the body was. We did not know who the man was. I think he lived about forty minutes after we got to him, but he could not speak, and made no motion at all. He groaned and seemed to suffer very much. I tried to get him to drink some water, but he could not do it. When these shots were fired, I was about an eighth of a mile from there, and I judge the five horsemen were about half a mile from the California road. I was in the yard when I saw the three horsemen riding up, and also the other horsemen coming across the California road. I stood there and watched them. Our house is about half a mile from the California road. The man who was

shot fell a little past our house, which is on the left of the road as we come towards it. The man died before he was brought into our house, which was that. This firing was somewhere between one and three o'clock. I never saw any of the parties before. The man on the grey horse had on a cap and a light-colored overcoat I think. He appeared to be a short stout man. One of the two that rode across to the three others was the one on the grey horse.

JANE W. COLBURN.

LAWRENCE, K. T., *May 10, 1856.*

HARRISON NICHOLS called and sworn.

I live at Topeka. On the 6th of December I lived on the Wakarusa creek, about five miles from here. I know something about the death of Thomas Barber. I was in a corn-field, near the California road, and saw a party of men pass there, on horseback. I knew some of them. Dr. John P. Wood was one of them. He lived in this place at that time. I knew him by sight, and learned his name next day. I knew Major Clark; he was with them. I saw them ride by, then two of the party left the main road, and intercepted some two or three that were coming this way. Mr. Barber was with the party intercepted. When they met, they stopped a few moments together. The party that Barber was with, turned their horses, as if to get away from the others, and went down towards a ravine, and at the same time towards their home. They got out of sight of me, so that, at the time of the firing, I could not see them. They soon came in sight again. Clark's party came towards California road to join the main body, consisting of about seven. At the same time, Barber's party came in sight, going towards Barber's house, one holding another on a horse. The same evening I was taken prisoner. I was conveyed to Leecompton camp. In taking me there, they took me to a piece of woods, and took a halter off of one of their horses, and said they were going to hang me. They finally said they guessed that when I got to camp I would tell the truth, and they would take me there. I was taken to headquarters, Major Perkins commanding. They examined me, and took my papers, rifle, and bowie-knife away; and, while doing so, one of their party came in and told Major Perkins that it was General Richardson's party that killed that damned abolitionist that night. This was the same man who examined me in the road for my papers. Major Perkins told the man to keep still. They kept my rifle, and agreed to send it back to me. I have written to them once on the subject, and have sent twice, but have never got the rifle. The Monday following my arrest, I think, S. J. Jones came to Leecompton, where I was stopping, and said Major Clark and Burns both claimed the credit of killing that damned abolitionist, and he didn't know which ought to have it. Jones said, if Shannon hadn't been a damned old fool, that peace would never have been declared. He (Jones) would have wiped Lawrence out. He had men and means enough to do it. He said they (Robinson and Lane) had

agreed, in their articles of peace, to help him serve a process here at any time, but he didn't expect they would do it. He said if Sam Wood ever came back to the Territory, he would take him, or die in the attempt. He said he would issue his own proclamation, and not call upon Shannon, and he would raise boys enough in Missouri to blow Lawrence and every other damned abolition town to hell. He wouldn't have any old grannies to stop him.

HARRISON NICHOLS.

LAWRENCE, K. T., *May 12, 1856.*

WILLIAM PHILLIPS called and sworn.

I reside about a half a mile the other side of G. W. Clark, an Indian agent. I did not know Thomas Barber. I got acquainted with Mr. Clark about a year ago. The first I heard of the death of Mr. Barber was the day after he was shot. Some two or three days after, I had business up to Mr. Clark's house and went up there. Clark said to me, "Well, Phillips, we have one less free-soiler in the Territory." I told him I had heard nothing about it. Said he, "I was coming up the road the other evening," stating the evening Barber was shot, "in company with several other men, and we saw a company of men on horseback, and going toward the Yankee town, and we hailed them to stop, and in place of stopping they rode on faster. I told them they had better stop." Then he said he and another man, I think it was Burns, fired about the same time at those men, and he thought one of them had shot one of those men; and he said, "I tried to kill him, and if it was not me I wish it had been." I asked him what he shot at him for. He said they were out to stop men from coming to this place; and as they did not, it was their rule to make men stop. This is as near as I can recollect what Clark told me at that time. I do not recollect as I ever heard him speak of this matter at any other time.

WILLIAM PHILLIPS.

LAWRENCE, K. T., *May 10, 1856.*

S. N. SIMPSON called and sworn.

I was in Lawrence in December last, when Barber was killed. I first heard of it about a mile from where he was killed, while I was on my way to my brother's, about twenty minutes after he was killed I should think. I was told by a young man named Pease. I was unwell at the time, and my brother took the horse I was on, and rode to the spot. I met a company of horsemen, some 10 or 12, of whom I knew two, just a mile before I got to my brother's, and before I had heard of the murder. One of them was Dr. J. P. Wood, now of Le-

compton, and a Mr. Clark, an Indian agent, and generally called Major Clark. They stopped in front of Mr. Crockett's, and were whispering among themselves as I passed. Mr. Clark said, "How do you do, major?" to me. I made no answer. Dr. Wood said to Mr. Clark, "It is Mr. Simpson." I then rode on to my brother's.

S. N. SIMPSON.

LAWRENCE, K. T., *May 9, 1856.*

Dr. S. B. PRENTISS called and sworn.

I am a physician, and have been practising as such for some 14 years. I saw the body of Barber after he was killed. He was shot in the abdomen, in front of the right hip. It was apparently a ball hole. I did not probe it. It was the only wound, and I think caused his death. There was a slight examination, but not a full examination, as there was a great deal of excitement. The ball did not pass out, but, going in, in the direction it did, I should think it would produce immediate death. The body I saw was said to be that of Thomas Barber, though I was not acquainted with him.

S. B. PRENTISS.

LAWRENCE, K. T., *May 9, 1856.*

HENRY M. SIMPSON called and sworn.

I live west of Lawrence, on the California road, about four miles from here. I was at home on the day Thomas Barber was killed, and went over and saw the body after he was dead. A short time before, I saw a company of three men turning off from the California road to the northwest. A few minutes afterwards I saw a company of nine men whom I took to be Missourians, and they were immediately joined by another, who came up in a canter, and after speaking to the only one of the nine I saw with a sword, a halt was called. They then went off after the three men who had turned off. Shortly after that, I heard some reports of fire-arms. After the reports I saw two men ride up from where I afterwards saw Barber's body, and join the others, and the twelve that rode up past my house towards Lawrence. On their return, as they passed my house, they seemed quite merry, prancing their horses, &c. My brother rode up shortly after they passed, and a person came up about the same time, and told me a man was shot, and desired me to go over and see the body. Before my brother heard of the murder, he spoke of meeting a company of twelve men, among whom were Clark, the Indian agent, and Doctor Wood. I took my brother's horse, and went over and saw the body, and learned that it was that of Thomas Barber. He was dead when I got there.

During the war, some 100 corn-sacks which I had sent for from

Kansas City, were stopped by the Wakarusa forces, who took ten of them, and I have never received any pay for them. The other ninety I received here in Lawrence afterwards. During the war, while the camp was on the Wakarusa, provisions and other property were stopped on the way, and we, at my house, were reduced at last to live on corn bread alone.

H. M. SIMPSON.

LAWRENCE, K. T., *May* 10, 1856.

JAMES BREWSTER called and sworn.

I have lived in Lexington, Missouri, nearly four years. I recollect the time of the troubles last fall at Lawrence, K. T., when the militia were called out by Gov. Shannon. Public meetings were held here for the purpose of raising men to send to Lawrence, Kansas Territory. There was not a general attendance at those meetings of the citizens here, but about as much as usual at public meetings here. I do not know whether or not money was raised here to defray the expenses of men who went to the Territory, but I know that numbers of armed men did go. I am not certain as to the number. I know that for several days I saw armed men in the streets preparing to go, and my impression at the time was, that a hundred or more went from here and through here. At first the call was made in this form: that all citizens of Kansas who were at Lexington or in its vicinity should return to their homes immediately. After that, it was commonly said that all law-and-order men should go and assist in executing the laws of Kansas, whether citizens of Kansas or not. I do not remember of seeing many of them when they returned. Those that I was personally acquainted with, who went from here, never have been citizens of Kansas Territory. It was said by those who were urging men to go to Lawrence, that Lawrence should be destroyed, and it was generally understood that was their object. It was said that the citizens of Lawrence had resisted the execution of the laws, and they were going to assist in enforcing those laws, and Lawrence, it was said, must be destroyed.

JAMES BREWSTER.

LEXINGTON, Mo., *June* 10, 1856.

Captain LUTHER LEONARD called and sworn.

To Mr. Sherman:

I am military storekeeper at the Missonri depot, Liberty, Missouri. I have been stationed there ten years last March, having charge of the arsenal, which contains arms and ammunition of all descriptions. On the 4th of December, 1855, my clerk, Mr. Grant, came from town and said there was some talk of their coming down to the arsenal to get arms, but he did not think they would do so. I took no measures of defence, as I never thought they would come, and my clerk told me he did not believe they would come.

A little after noon, I saw Judge James T. V. Thompson in the arsenal yard, and I walked up to him and greeted him civilly, and asked him to walk to my quarters. He declined going to my quarters, and said he would like to look about a little. I took him into the armorer's shop first, and intended going all about with him. We had been there but a short time before I saw through the windows a number of people outside. I wished to go out and see what was going on. In the meantime, a number of men had slipped into the armory where we were. When I wished to go out, there were men at the door who told me very civilly I could not go. One of them was Mr. Bouton, my clerk's (Mr. Grant) father-in-law. I took hold of him and gave him a little push; but he said, good naturedly enough, it was of no use, as I could not go out. I told them I was an old man, with a dislocated shoulder and but one eye, and I should not undertake to fight with them. I told Judge Thompson I thought it was poor business for the United States to build arsenals for a mob to break open.

The judge and the others told me there were troubles in Kansas, and they wanted arms, but would do nothing wrong with them. I told the judge this was aggressive on the part of Missouri, and every community was competent to take care of its own affairs, and that the Missourians ought not to interfere. A good deal more was said on both sides, and I felt indignant at the aggression. The judge himself did not say an uncivil word to me. I had not expected any such thing as this when I first saw the judge, or I could have had the gates locked.

The mob proceeded to take arms, forcing the doors, and took three 6-pounders, some swords, pistols, rifles and ammunition, powder, balls, &c., as much as they wanted. They broke some doors open. I do not know how they got the keys to get into the powder magazine, which is composed of brick, and had double doors. Captain Price was the leading man in the crowd, as I understood. Mr. Rout was there. I was kept in the room until the men had got all the arms and ammunition they wanted and had gone away. Judge Thompson being the last one when he let me go out, and then he left himself.

Some six or eight days afterwards the guns were returned to the arsenal. They were left, I was told, at Colonel Allen's place, some three-quarters of a mile from the arsenal. In the meantime I had reported the facts to Colonel Sumner, and he had sent down a company of dragoons. The men sent to me to know if I would receive the arms, and I told them I was not in command, and referred them to Captain Beall, and he told them to bring them along; and they did so, and they were received. Among the property taken was some artillery harness. I cannot recollect how many sets. There were some deficiencies in the number of rifles, swords, and pistols, and some harness returned, but I cannot state the precise particulars. These deficiencies have never been made up by the citizens of Missouri, but I have been instructed by Colonel Craig, the head of the ordnance department at Washington, to purchase sufficient of such articles as I could obtain in the neighborhood to make up the deficiency, and we

did so ; but the swords, pistols, and rifles we have not been able to make up. I do not know how much has been expended in making up this deficiency. Immediately after this robbery I reported the circumstances to Colonel Craig, at Washington, specifying the number and amount of each of the different articles taken. In the course of the winter he sent me orders to ship the public property to Fort Leavenworth and St. Louis arsenal, giving me a schedule of the amount to be taken to each place ; which I did as soon as navigation opened.

L. LEONARD, *M. S. K.*

STEAMBOAT POLAR STAR, *Missouri river*, June 10, 1856.

APPENDIX TO MINORITY REPORT.

DANIEL MACE called and sworn.

To Mr. Oliver :

Immediately after the passage of the Kansas-Nebraska act, I, together with a number of others, who were members of Congress and senators, believing that the tendency of that act would be to make Kansas a slave State, in order to prevent it, formed an association here in Washington, called, if I recollect aright, "The Kansas Aid Society." I do not remember all who became members of that society, but quite a number of members who were opposed to slavery in Kansas, of the lower House, and also of the Senate, became members of it, and subscribed various sums of money. I think I subscribed either \$50 or \$100 ; I am not now prepared to say which.

We issued a circular to the people of the country, of the northern States particularly, in which we set forth what we believed were the dangers of making Kansas a slave State, and urged that steps be taken to induce persons from the north, who were opposed to slavery, to go there and prevent its introduction, if possible. We sent a great many circulars to various parts of the United States, with that object, and also communications of various kinds. I do not now remember what they were. The object was to have persons induced to go to Kansas who would make that their home, and who would, at all elections, vote against the institution of slavery.

I think Mr. Goodrich, of Massachusetts, was the president of the society. I am not certain about the vice-presidents ; probably Mr. Fenton, of New York, and myself, were vice-presidents. The names of the president and vice-presidents were attached to our circulars which we sent throughout the country.

My recollection is, that generally, those members of the House and Senate who were opposed to the Kansas-Nebraska act became members of this society, and contributed to it.

The leading primary object of the association was, to prevent the introduction of slavery into Kansas, as I stated during the short session of Congress, in answer to a question propounded to me by yourself, I believe. We believed that unless vigorous steps of that kind were taken, Kansas would become a slave State. I do not remember the caption of the subscription paper. I think no other object was mentioned or specified, except the prevention of slavery in Kansas. I think that was the sole object of the movement.

I do not recollect whether Mr. Speaker Banks was a member of that society or not, or whether Senator Seward was or not. Mr. Goodrich kept the books. My impression is, that a majority of those who voted against the bill were members of that organization. I do not remember the total amount of money raised by means of that organization. We had a room here, and employed a secretary, and consequently had expenses to pay. I do not know the amount raised. I think there were persons, members of that association, who were not members of either house of Congress. Mr. Latham was appointed

treasurer, but declined; and my impression is that Mr. Blair became the treasurer; but I may be mistaken about that.

DAN'L MACE.

WASHINGTON CITY, July 1, 1856.

Protest of General Whitfield.

The counsel for J. W. Whitfield having, at Leavenworth city, offered in evidence before the committee two letters written by A. H. Reeder—the one dated Washington, January 20, 1856; the other dated Washington, February 12, 1856—before offering the said letters, their authenticity, both as to the signature and hand-writing in the body of said letters, was proved to be the proper hand-writing and signature of A. H. Reeder, and of which facts the committee were satisfied; but a majority of the committee, Messrs. Howard and Sherman, not being satisfied, at the time, of the propriety of the admission of such evidence, took the matter under consideration; and now, at this day, at the sitting of the committee at Westport, the question of the admission of said letters as evidence came up for consideration and decision, and a majority of the committee, Messrs. Howard and Sherman, (Mr. Oliver dissenting), decline to receive said letters in evidence, and to be engrafted into and to constitute a portion of the evidence taken by the committee in their investigations, upon the ground that they, the committee, have not the rightful possession of them, they having been found in the street, and being clearly private letters, or so declared to be by the majority of said committee. The said majority of the committee take no objection to the relevancy or competency of said letters as evidence, but place their objections solely upon the grounds above stated, not denying that said letters might be evidence against said A. H. Reeder in a criminal prosecution. The committee admit that the copies of said letters, furnished to the committee for the purpose of having them transcribed into the evidence, are true and genuine copies of the originals offered in evidence, and which said copies are hereto appended, marked (A) and (B), and made part of this protest.

The counsel for J. W. Whitfield, and on behalf of the law and order party in Kansas Territory, offer said letters in evidence for the double purpose of showing the opinions and admissions of A. H. Reeder in reference to the matters and subjects connected with the elections of the 30th of March, 1855, in the Territory, and the contest now pending between Whitfield and Reeder in the House of Representatives, as well as to show the complicity of A. H. Reeder in all the troubles which have led to bloodshed and civil war in the Territory.

To the refusal of the majority of said committee to receive said letters in evidence, Mr. Oliver enters his protest; and also the said John W. Whitfield, by his attorney, protests against the action of a majority of the committee in refusing the admission of said letters in evidence, as depriving him of his just rights in the investigation

before the committee, and in showing to the country the true ground and source of all the difficulties in Kansas Territory.

J. W. WHITFIELD.

By his Attorneys,

AUSTIN A. KING.

JOHN SCOTT.

WESTPORT, MISSOURI, *June 7, 1856.*

The above protest was this day presented, and the accompanying copies of letters marked by me "Exhibit A accompanying protest," and "Exhibit B with protest."

WM. A. HOWARD,

Chairman Kansas Committee.

WESTPORT, *June 7, 1856.*

Exhibit (A) accompanying protest.—Wm. A. Howard, Chairman.

WASHINGTON, *January 20, 1856.*

MY DEAR SIR: Since writing you a week ago, (January 14,) I have received your letter of December 23, which you say you sent by Schuyler. That of December 29 I had received before, and acknowledged. I keep sending you papers, which I suppose you receive. This morning I saw Johnson and Parrot, who arrived last night just in time, as we had, through the night, a deep snow, which will again block up the roads, I have no doubt. Phillips, of Leavenworth, also arrived here on Friday evening. The House is still at the old deadlock for Speaker. Cobb, of Georgia, declared in the House, that the Democrats will not vote for the plurality rule until Banks is withdrawn. The Republicans had a caucus on that same evening, and re-nominated Banks, and declared that they will not withdraw him. A resolution is now adopted that all debate and personal explanation shall be out of order, and that the balloting shall be the only business done. We will see what that will bring forth. My own opinion is, that it has come to the alternative of a plurality rule or no organization, and the Democrats must come to the plurality rule at last. I am still much vexed and worried that returns of our election and the certified copies from Woodson are not here. I cannot imagine why the returns, which are the most important of all, were not sent, as it was so distinctly understood; and Coates says that Lane and Gooden told him they were in the bundle. I have written Pomeroy to send, if possible, a special messenger to Kansas for them at my expense. It is unpardonable that they were neglected; and if they do not come in time, we shall present a bright spectacle before the Union. Some one sent me a copy of the Herald of Freedom, of December 22, from which I see that Brown (probably because there are no external enemies to fight) is assailing the projectors and former citizens of Pawnee. This is *very* opportune at this time, when I am charging the administration and Gen. Davis with destroying and crushing out a free-State town and settlement, and with persecution of Col. Mont-

gomery by court-martial and dismissal. Gen. Davis and Pierce will be very much obliged to him if they should see the article, and will probably have it republished in the "Union;" whilst the most we can hope for our despondent free-State settlers in the neighborhood who have had their society and neighbors driven off, most of them back to the States, by the atrocious destruction of the town at the instance of Atchison, is, that they may never see the article. You speak of my coming to Kansas when the legislature meets. It is impossible. I cannot leave my post here without being faithless to my trust. If the people of Kansas cannot appreciate my fidelity to them without being constantly reminded of it, I cannot help it. I refused to leave here, although importuned to come to Philadelphia at supreme court and earn \$500 or \$600; my business suffering at home, deprived of the society of my family, whom I could not bring here, except at a ruinous rate. Had I refused their nomination, and gone to Pennsylvania in September, or had I sold the free-State party out to the Missourians, or to Pierce, I might have promoted my interest at least. If they do not want my services and sacrifices, Pennsylvania has still room enough for me. I shall only be sincerely sorry for the good men and true among them who shall be overpowered by the selfish and the corrupt. But I have faith in them still, and that they will not allow an absence, caused only by devotion to their interests, to operate to my prejudice. You speak of your probably coming on here in February, as the legislature meets in March. I do not see how you can do this, in case you are elected; nor do I now see how you are to get your case into the Supreme Court of the United States, except by writ of error, and that can only be after judgment and at a great expense; nor do I see how you can raise, in the Supreme Court, any point as to the validity of the laws, except the one of their removal to the Mission. I have, however, not examined the case; still, I should think that a few free-State men on the jury would be a surer reliance than the Supreme Court. I should hesitate long before spending much money on the latter. I note what you say about Lane. It is all very well; but it is a good rule never to make an enemy unnecessarily, or to aggravate one without cause. Why not continue to correspond for the "Post" or some other paper?

Remember me kindly to Robinson and Conway, and other friends. Latta is also here.

Yours, truly,

A. H. REEDER.

Exhibit (B) with protest.

WASHINGTON, February 12, 1856.

DEAR GROVE: Since my last, dated the 27th January, I have yours of January 14th, 22d, and 30th. The last I received this morning from Jo. Laubach. It came very opportunely to enable me to state Woodson's refusal in the memorial I am about to present to the House, contesting the seat. I am only waiting for Banks to appoint the committees, and he is waiting for the election of a printer. I

have not been away from here since the day I came on, although I have suffered severely by staying. I dare not leave until I can make an application to the committee to have the case delayed until I can send for persons and papers to the Territory. I will also endeavor to have the Committee on Territories send for *persons* and papers, and report a history of the whole Kansas difficulties, *ab initio*. This will probably bring you along, as I shall have the selection of the men to be sent for, in a great measure. Whitfield claims, I am told, to have received 2,900 votes; and I have no doubt, when we come to see his hand, he will show the papers for more than ours. I should not at all wonder if he has a return from Arapohoe county, (Tibbat's place;) and if so, they can make that as large as they please. I have had men to talk to him, but all I can learn is that he claims the 2,900. He gives no particulars, but talks in a very confident, bluffing, braggart style of getting his seat. Our cause will be lost unless we can reduce his vote, so as to show more votes for me. I wrote General Robinson on this subject, and hope he has the letter. I have written him three times since I am here, but I have no letter from him. I expect to have a man sent out to the Territory for witnesses, at least for the Election Committee, soon. I cannot tell what will be result as to our admission. If I get my seat, I shall press it hard, and we will get some votes in the Senate which we do not expect. If I lose my seat, there is no chance for admission. Let my name go before the legislature, and if the party will then say they do not need my services, well and good. I shall be honorably relieved of labor, responsibility, and danger. If they elect me, I shall feel bound to stand by them and fight their battles pertinaciously, zealously, and faithfully. As to putting a set of laws in operation in opposition to the Territorial government, my opinion is confirmed instead of being shaken; my predictions have all been verified so far, and will be in the future. We will be, so far as legality is concerned, in the wrong; and that is no trifle, in so critical a state of things, and in view of such bloody consequences. It will be an invitation to the "powers that be" to bring down the Missourians upon us in the assumed character of vindicators of the law. What consummate folly is there not in such a move? You will have seen Pierce's message. Suppose we had occupied the ground I wished, of the mere adoption of a constitution and election of officers, *only for the purpose* of applying for admission; what ground would Pierce have had to stand on, or how much of his message would have been left? He is not the only man who is backward and lukewarm towards us for this reason. They say they cannot sustain us in the position of resistance to the Territorial government; and you will find, I think, that Douglas will also take that ground. But I want you to understand, most distinctly, that I do not talk thus to the public or to our enemies. I may speak my plain and private opinion in letters to our friends in Kansas, for it is my duty; but to the public, as you will see by my public letter, I show no divided front. I am sorry that you and Robinson are not upon your former terms. Are you sure it is not your fault? Have you always treated him with sufficient respect? I mean in small things, and in manner. I regret that you cannot use the cannon order.

You did not speak of it in yours of the 22d. I supposed he was doing well. I am very short of money—have difficulty and annoyance in meeting my engagements—but of course will do all in my power to assist you. Enclosed I send you \$60, which I hope will be sufficient, as you do not name any sum. You will have seen that Gov. Chase, of Ohio, and Gov. Clark, of New York, have sent in special messages, and the legislatures show some disposition to act. I have seen the draught of a bill (confidential) to be offered in the Ohio legislature to appropriate \$200,000 to send out men to Kansas. These movements waked up Mr. Pierce, and he to-day issues a proclamation, on which he faces North, South, East, and West, and says that everybody has done wrong, and nobody has the advantage of anybody in that respect, and that all must observe the laws; and that he will whip you free-State men into orderly citizens, and when you obey the laws he will protect you. I learn, also, that a general of some consequence in Ohio is raising 150 able-bodied young men, on his own hook, whom he intends to take out at once, each armed with rifle and revolver.

You have not, in your last four letters, said one word about the Wyandott floats. I am anxious for some details; whether that squatter has left, and how you arranged the report of it to the surveyor general, and in whose name. If Sam Paul will not come down and will not stand by the free-State men in a fight, you can get from him my gun and buffalo-skin, if you need them. I wrote Mallory in regard to his bills. I suppose he received the letter. Shannon came on to Ohio, and Pierce was unwilling to let him come here, and sent special orders for him and Calhoun to go back to the Territory. Since that, some new idea has turned up, and I learn from good authority that Pierce has telegraphed him to come on here. His nomination is a little in danger. You will have in Kansas next spring and summer a heavy emigration, and will also have a lot of arms, if they are not intercepted on the way. Write freely about your money matters.

Your letter of the 22d, stating that you were in danger of another invasion, excited me considerably, and I at once set to work, and endeavored to set every one here to work, to reach the President by every indirect influence I could command, in order to provide for throwing a military force between the invaders and the people. Among the number that I saw were Cass and Douglas, and it is very probable the proclamation is, in part, due to my efforts. Our people have my warmest sympathies. I had no communication on the subject except yours. If Col. Lane sent any it did not come to hand. Read Robinson what you think advisable of this letter and the proclamation, and say it is at my request. I would write him, but my time is much occupied, and this will answer as well. Have you the President's special message on Kansas? I am thankful to G. W. Brown for a copy of the Herald with the Easton affair—have made good use of it.

Yours, truly,

A. H. REEDER.

Deposition of Samuel F. M. Salters.

The undersigned, Samuel F. M. Salters, states, on oath, that—
“I emigrated into the Territory of Kansas in June, 1854, and settled in the neighborhood of Lawrence, and have lived there ever since. I came from Missouri to the Territory. I was present at the election held in the town of Lawrence on the 30th day of March, 1855. I was appointed by Gov. Reeder as a sort of marshal or sheriff; his commission stated, marshal for three election districts—I think the 1st, 4th, and 17th; and, on the day of the election, I remained pretty much all day in the room where the judges held the election, for the purpose of preserving order, if any disturbance should arise. There was no disturbance, and consequently nothing for me to do in that capacity; and I was not called on by anybody, as the election passed off as peaceably and quietly as elections usually do. There were a good many people there; many of them I knew, and many of them I did not know. My acquaintance was reasonably extensive in that district. I knew about 400 voters who resided in the district, but I did not know near all of the resident voters of that district. So far as I know, all the resident voters of that district were present and voted. The free-State men had a tent near the polls, in which were some eighty men—some thirty, or so, I conversed with myself. They voted the free-State ticket, and the next day struck their tent and left. They told me that they had voted; they had come to vote, and would leave, and not come back to the damned Territory until the next election. The pro-slavery candidates for council were Thomas Johnson and Edward Chapman; for the house of representatives, James Whitlock, A. B. Wade, and John M. Banks. The free-State candidates for council were S. N. Wood and J. R. Goodwin; for the house of representatives, E. D. Ladd, Mr. Fowler, and John Hutchinson. The pro-slavery candidates received a large majority of the votes polled there that day. There was a split in the free-State party, and some of the free-State men voted the pro-slavery ticket at that election. The above-named free-State ticket was regarded by some of the free-State men as an abolition ticket, and some of the free-State men swore to me that they would not support an abolition ticket; and when the election came on, they did not support the above-named ticket, but voted for the pro-slavery men. I gave some of them pro-slavery tickets, which I saw them vote; and others told me they had kept their word, and had voted for the pro-slavery ticket. Two of the judges of that election, which Gov. Reeder appointed, came, but the other did not, and those two appointed another, whose name, I think, was Theodore Benjamin; the names of the other two were Hugh Cameron and a Mr. Abbott. Mr. Abbott resigned just as the election commenced, and the other two judges elected Mr. Crane in his place. The election then went on without any difficulty. I was in the room all the time these changes in the board of judges were going on. Nobody inside or outside objected to these appointments; but some objections were made to Mr. Abbott's resignation, but of no particular character.

"At the time of the election of the 30th March, 1855, there was a majority of pro-slavery residents in the Lawrence district. I was well acquainted in the district. There were about 200 free-State resident voters in that district, and there were from 300 to 400 pro-slavery voters at the polls that day, whom I knew to be residents of that district, and a great many of them voted in my presence, and the others told me they had voted.

"I have had many conversations with free-State men, at various times, and they told me that they came out to Kansas under the auspices of the Emigrant Aid Company, to make Kansas a free State; and they told me that the paramount object of the Aid Company was to make Kansas a free State, and that they would make it a free State at all hazards; that the East had men and money enough, and nothing would be spared. All those free-State people, principally, had come out to the Territory under the direction and under the control of the Aid Company. At the time of the election, there were but few women and children in Lawrence. A majority of those men who were about Lawrence at the time of the election have left, and most of those that are there now have come since the election.

"About the 1st of June, 1855, a boat, I think 'The Emma Harman,' landed at Lawrence, and three or four large boxes were put off, and a Mr. Simpson, I think, took charge of them. They were marked 'Books.' I saw them opened, and found them to be Sharpe's rifles. After the legislature had met, I was still among the citizens of Lawrence, and mixed with them, more or less, every day. And as soon as the legislative assembly had adjourned, they declared openly that they would resist the laws; that they would have men and means to resist the laws, and would do so to a bloody issue. They then began to form military companies, armed with Sharpe's rifles, pistols, swords, and knives, and kept up regular drills. They told me that these guns were sent to them as a present. I asked them to give me one; they told me that unless I would take an oath to resist the law, even to the bloody issue, I should not have one. I would not do so, as I told them, so I did not get the gun. I have heard Dr. Robinson, the leader of the free-State party, speak several times; I have also heard A. H. Reeder, J. H. Lane, Conway, and other men belonging to the free-State party, speak. They all advised the people to resist the laws, and told them there was no law in the Territory, and pledged themselves, one to the other, that they would sacrifice their lives, rather than submit to the laws of the Territory. And these speakers told the people not to obey the writs of the courts, nor suffer an officer to take them; that they would assist them, and one another, in resisting the officers. I was at a meeting, in Lawrence, where they passed resolutions setting forth their determination to resist the laws; that they would sacrifice their lives, their honor, their salvation, and everything, rather than submit to the Territorial government, and from that time to the present have been resisting the laws. Before these men made these inflammatory speeches, the country was quiet, but since then intense excitement has pervaded the whole country; men have been murdered and robberies have been committed, and men, women, and children driven from their once

peaceful and quiet homes. The primary cause of all the difficulties in Kansas may justly be attributed to Reeder, Robinson, Lane, and others; for if it had not been for their advice, but few of the men whom they succeeded in getting to follow them would have been disposed to resist the laws, and the difficulties now upon the people would not have come upon them. Those men—Reeder, Robinson, Lane, and other prominent free-State men—excited the people to open resistance to the laws, and publicly, and on all occasions, advised open resistance, telling them that the United States government would sustain them, and that Congress would sustain them.

“SAMUEL F. M. SALTERS.”

STATE OF MISSOURI, }
Jackson county, } ss.

On the 11th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, Samuel F. M. Salters, who makes oath that the above and foregoing statement is true as therein set forth. The said Samuel F. M. Salters is the same who subscribed to the above and foregoing statement, and whose name appears thereto.

Given under my hand this 11th day of June, A. D. 1856.

Sworn to and subscribed before me,

THOMAS J. GOFORTH, [SEAL.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the above and foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due and ought to be given to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at office in the city of Independence,
[S. L.] this 14th day of June, A. D. 1856.

JOHN R. SWEARINGEN, Clerk.

Deposition of A. J. Bush.

The undersigned, A. J. Bush, states, on oath: I came from Kentucky, and settled in Kansas Territory, near the town of Lawrence, on the 20th day of March, 1855. I was present at the election of the 30th of March, 1855, held in the town of Lawrence. I was pretty much a stranger, and did not know at that time many people. I saw a good many people at that election, but did not know but few of them. I voted. My political sentiments were not much known; but very few persons knew which side I was on. I had no difficulty in voting.

There was a line fixed alongside of the cabin where the voting was done, so that there was a free passage for voters up to the polls without hindrance. Since the election, I have become well acquainted with my squatter neighbors, and have had frequent conversations with them. I reside about three miles from Lawrence. In these conversations, some of my said neighbors told me that they were paid to remain out here. That if they would stay in the country until after the March election, they would get two lots apiece for staying.

John W. Taylor, a free-State man, and a pretty smart man, is a leading counsellor in his neighborhood. In a conversation I had with him, he told me that the eastern people had sent out to the free-State party in Kansas Territory a large number of Sharpe's rifles, and would send out a large number more.

I attended some three or four of their political meetings. I did not like the course of these free-State men, so I did not take any part with them. I heard the speeches that were made by these men at the meeting which I attended, and the speakers pledged themselves, one to the other, that they would spill the last drop of their blood in resisting the laws. These sentiments were commonly sanctioned by shouts of Yes! yes! and great applause from those who were in attendance, by the crowd standing or sitting around; and that they would die, or come in as a State under the Topeka constitution. This sentiment was also sanctioned by the people. At the uttering of this sentiment, the people would shout aloud and applaud.

It is my opinion that the operations of the Emigrant Aid Society is the first and grand cause of all the troubles in Kansas; and all the difficulties which have arisen in Kansas I fully believe have arisen from the sending of men, by the Emigrant Aid Society, to this Territory, with the avowed purpose of making Kansas a free State. From all the facts and circumstances that have come to my knowledge, I am satisfied that if the Aid Company had not interfered in the settling of Kansas Territory, none of these troubles or difficulties would now be upon the people of Kansas.

A. J. BUSH.

STATE OF MISSOURI, }
Jackson county, } ss.

On the 12th day of June, A. D. 1855, personally appeared before me, the subscriber, a justice of the peace of the county and State aforesaid, A. J. Bush, whose name appears to the above and foregoing statement, and makes oath that the above and foregoing statement is true, as therein set forth.

(Given under my hand and seal, this 12th day of June, A. D. 1856.

Sworn to and acknowledged before me,

THOMAS J. GOFORTH, [L. s.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify, that Thomas J. Goforth, esq.,

whose genuine signature appears to the foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly elected, commissioned, and qualified, and that free faith and credit is due and ought to be given to all his official acts, as such, as well in courts of justice as thereout.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court at office in the city of Independence, this [L. S.] 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, *Clerk.*

Deposition of T. Lahay.

The undersigned, T. Lahay, states, on oath: I came to the Territory in August, 1854, from Missouri, and settled on the Wakarusa, about five miles from Lawrence, and have resided there ever since. I am a widower; I have six children; I was not at the election of the 30th of March, 1855. When I first went to the Territory, in August, 1854, I took with me two of my oldest boys. In November, 1854, I went down to where I had lived for two of my daughters. In March, 1855, I went after my two remaining children; and about the 7th or 8th of April, 1855, just after the March election, I went down to the State of Missouri with a two-horse wagon, for the purpose of bringing to my home in the Territory the remainder of my household goods. This trip I took eight men, who told me that they were free-State men. I took them down to Kansas City, Missouri. They told me that they had voted, and were going home to the east, where they come from, and would never come back any more. They said they had come out to help to make Kansas a free State. As I went back to my home in Kansas Territory, which was in a few days after I arrived in Kansas City, I met on my road to Lawrence a great many eastern and northern emigrants—some in wagons, some on foot. I was stopped by a number of them, and talked to them, and they talked to me. They told me that they were from the east, and that they had come out to the Territory to help to make it a free State; that they had voted and were going home. After I got home I still had some things to bring from Missouri, and I went down in a day or two afterwards. This trip I took down to Kansas City six or seven free-State men. They told me that they were from the east, and that they were free-State men; that they had come to Kansas Territory to help to make it a free State; that they had voted, and were going home, and were not coming back any more. I took to Kansas City in these two trips fourteen or fifteen. As I went back in a few days, on my road to Lawrence, I met a great many more men going towards Kansas City. I stopped and talked to some of them, and some of them talked to me, as on the trip before. They told me they were from the east; that they had come to Kansas to help to make it a free State; that they had voted, and were going hence, and would not come back. I met in the two trips at least one hundred or more going towards Kansas City; and there were no women or children among them. My po-

litical sentiments were not known at that time, as I had never made an open avowal; and, inasmuch as I was silent in politics, but a few persons knew what side I was on.

T. LAHAY.

STATE OF MISSOURI, }
Jackson County, } ss.

On the 12th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, T. Lahay, whose name appears to the above and foregoing statement, and makes oath that the above and foregoing statement is true as therein set forth.

Given under my hand and seal, this 12th day of June, A. D. 1856.
Sworn to and acknowledged before me.

THOS. J. GOFORTH, [L. s.]

Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the above affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due and ought to be given to all his official acts as such, as well in courts of justice as therout.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at office in the city of Independence,
[L. s.] this 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, *Clerk.*

Deposition of Lucas Corlew.

The undersigned, Lucas Corlew, states, upon oath: I emigrated to the Territory in the month of August, 1854, from Missouri, and have lived there ever since. I was present at the election of the 29th of November, 1854, held in the town of Lawrence. There was no difficulty, except that the judges of the election refused to take some pro-slavery votes which were offered, but afterwards took them. They refused some pro-slavery votes offered by men who resided in Bloomington, about eight miles from Lawrence, because, as they, the judges, said, they lived out of the district; but I saw them receive the vote of an old man who goes by the name of "old man White," and who resided above Bloomington, farther off than where these pro-slavery men lived whose votes they had rejected. White lived about two miles above where these men were from. I then told them that it was wrong for them to refuse the Bloomington votes, on the ground that they were out of the district, and then to receive votes that were farther out, according to their opinion. They then took them. The

next difficulty occurred when Davis came to vote; his name was Henry Davis. One of the judges offered to swear Davis, but Davis said to him, "I think you ought to know me better than that, for it has not been more than two weeks since I caught you stealing my timber, and I drove you off." This created a fuss, and a man by the name of Lewis Kibby took it up, and others joined Kibby in the quarrel. Davis and myself started home together. After we got out some mile and a half the roads forked—I went one way, and Kibby the other. When we got about three hundred yards apart, I saw a two-horse wagon going slow, and Davis overtake it. Davis was a foot. There were several in the wagon, and Kibby was one. As Davis approached the wagon I heard the report of a gun or pistol. I saw Davis set down, and I thought he had been shot. I went to him as soon as I could, and when I got to him I found he had been shot with seven buck-shot; he died in a few minutes afterwards. I saw him die, and helped to bury him. Kibby was never punished. Kibby told me he had shot Davis, but it was in self-defence. The candidates were J. W. Whitfield, pro-slavery; Judge Flenniken was the anti-slavery man, and Judge ——— was the anti-slavery or free-State candidate.

I was at the election held in Lawrence on the 30th day of March, 1855; but I was not about the polls much. I was not much acquainted, except in my own immediate neighborhood. In my neighborhood the pro-slavery party had a majority. My neighbors voted at that election, and so did I.

A free-State man by the name of Benjamin Franklin Peas, from Massachusetts, boarded with me for some two months. He told me that the free-State party had a secret organization, and that he belonged to it. The object of it was to make Kansas a free State, and that they were sworn to obey the mandates of the officers of the organization, or words to that effect. I heard many men of the free-State party say that the laws of the Territory they would not obey, and they would resist the laws to the death, if needs be, rather than submit; that they had plenty of Sharpe's rifles to do it with. I acted as constable under the Territorial laws, and there were but one or two men among them that ever obeyed a summons or writ, and these once or two only obeyed when I summoned them as jurymen before a justice once; but even then did not serve.

If it had not been for the operation of the Emigrant Aid Societies, and sending men to Kansas in conjunction with the secret organizations in the Territory for the purpose of making Kansas a free State, there would never have been any difficulty or fuss in settling the Territory. The foundation, as I verily believe, of all our troubles now in Kansas, is owing to the aid and secret societies, and their operations.

LUCAS CORLEW.

STATE OF MISSOURI, } ss.
Jackson county, }

On the 11th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, Lucas Corlew, whose name appears to the above and foregoing statement, and makes oath that the above statement is true as therein set forth.

Given under my hand and seal this eleventh day of June, A. D. eighteen hundred and fifty-six.

Acknowledged and sworn to before me,

THOMAS J. GOFORTH, [SEAL.]

Justice of the Peace.

STATE OF MISSOURI, } ss.
County of Jackson, }

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth esq., whose genuine signature appears to the foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly elected, commissioned and qualified, and that full faith and credit is due and ought to be given to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at office, in the city of Independence, this [t. s.] 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, *Clerk.*

Deposition of Delana Corlew.

The undersigned, Delana Corlew, states, on oath: I was present at the election held on the 29th day of November, 1854, at the town of Lawrence, in the Territory of Kansas. I emigrated, with my family, to the Territory of Kansas, on the 15th or 20th of June, 1854, or thereabouts, and settled on the Wakarusa, about five or six miles from the town of Lawrence, and have resided there ever since. I was at the said election, and voted for General J. W. Whitfield. There were a good many people at that election; they were residents of the district, so far as I know. I was at that time generally acquainted with the residents of the district. The election went off about as elections that I attended in Missouri, before I went to Kansas. No one was prevented from voting, by threats or violence, but one man; his name was Henry Davis. His vote was challenged by one of the judges of the election, a free-State man; whereupon a difficulty and quarrel took place, which created some excitement on the crowd. The candidates were J. W. Whitfield, pro-slavery, R. P. Fincken, free-State, and Judge Wakefield, free-State also. As I was going home in the evening, about two or three miles from Lawrence, I saw Henry Davis, or at least I thought it was him, some three or four hundred yards ahead of me; he was going on his way home. I was on horseback, and he was afoot. About the time I have in sight of him, I saw a two-horse wagon pass him, in which were several men. I heard the report of a gun, and I rode as fast as I could; and when I came up, I found that it was Henry Davis; he had fallen to the ground. He was taken home. He died in about fifteen minutes after he was shot. I saw him die.

I was present at the election held in the town of Lawrence, on the

30th day of March, 1855. I saw a great many people there. At that time Lawrence district was thickly settled; almost all the claims in the surrounding country were taken up. I knew at least one hundred pro-slavery men. I saw no unusual difficulty; the election went off as elections generally go off. I saw none prevented from voting; no violence or threats were used to prevent men from voting. The pro-slavery ticket got a large majority. Thomas Johnson and Edward Chapman were the pro-slavery candidates for the council, and J. K. Goodwin and S. N. Wood were the free-State candidates for council. James Whitlock, John M. Banks, and A. B. Wade, were the pro-slavery candidates for the house of representatives. Hutchison, Ladd and Fowler were the free-State candidates.

DELANA ^{has} + CORLEW.
_{mark}

Witness: THOMAS J. GOFORTH.

STATE OF MISSOURI, }
Jackson county, } ss.

On the 9th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace, in and for the county and State aforesaid, Delana Corlew, whose name appears to the above and foregoing statement, and makes oath that the above and foregoing statement is true, as therein set forth.

Given under my hand and seal, this 9th day of June, A. D. 1856.

THOMAS J. GOFORTH, [L. S.]
Justice of the Peace.

STATE OF MISSOURI, *
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, whose genuine signature appears to the within and foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due, and ought to be given to all his official acts, as such, as well in courts of justice as thereout.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court at office in the city of Independence, this [L. S.] 13th day of June, 1856.

JOHN R. SWEARINGEN, Clerk.

Deposition of Paris Ellison.

The undersigned, Paris Ellison, states on oath that I emigrated from Missouri to Kansas, and settled at Douglas, the second district, in October, 1854, and have resided there ever since. I was present at the election held at Mr. Burson's, in the second district, on the 30th day of March, 1855. I was appointed by Governor Reeder as one of the judges, and Mr. Burson and Mr. Ramsey, I think, were the other two. We met at Mr. Burson's house in the morning, before the hour to open the polls. Mr. Burson was a magistrate, appointed by Governor Reeder, and he qualified me and qualified Ramsey; Ramsey qualified Burson. We appointed the clerks and qualified them; George W. Taylor was one of the clerks. My son Paris was very sick at the time, and I wanted to resign. I proposed to resign if the other judges would permit me to name a man to serve in my place. Judge Wakefield, one of the candidates on the free State ticket, was in the room, and interfered, telling the judges they had the power to name the man; they refused to let me appoint a man in my place, and I determined to serve, and did serve. I remarked to the other judges that we were sworn to act impartially during the whole day. They said, yes, we are sworn to act impartially. We agreed that inasmuch as they knew a great many voters that I did not know, and I knew a great many that they did not know, that those whom I knew should vote without swearing, and those whom they knew I would not require of them to be sworn. Under this agreement we commenced the election; after some twenty-nine or thirty votes were taken, the pro-slavery party had some two to one against the free State party, the other two judges began to grumble. Dr. Brooks came up to vote; I knew Dr. Brooks had a claim in that district, and had been on it, and had put a house on it. Dr. Brooks was a single man, and afterwards brought his mother there, and has resided there ever since; at the time of the election, Dr. Brooks claimed to be a citizen of the district. I knew him to be a resident, and, under our agreement, I wanted to take his vote without swearing, but the other two judges refused to take his vote unless he would swear. This he refused to do, because he said that he had understood that under the agreement, if Mr. Ellison took his vote without requiring him to swear, that was all that was necessary. The other two judges still refused to take his vote. The doctor stood at the window a long time, and said that unless they would let him vote, as he was a citizen of the district, and had been for some time previous, no other man should vote there that day. I told them that if they refused his vote it would create a fuss and confusion, and that it would be violating the agreement made before the election began, but still refused. Sherman Wofful then came up to vote, but they refused to take his vote without swearing. Sherman said that he could prove by me that he was a citizen of the district and had been a citizen of the district from the fall before. I knew that Mr. Wofful was a resident of the district, for he was living there when I went to the district to live. I bought hay of Mr. Wofful before the election, which he had made and cured the summer before. They still refused to let

him vote unless he would swear. He refused to swear, because the judges would not let him prove his residence. He said he would not swear. I had not, up to this time, objected to any of the persons that came up to vote which the other two judges said they knew. I had kept the agreement made between us to the word and letter. On account of this conduct, on the part of the other two judges, a fuss and confusion arose in the crowd outside of the house. While the fuss was going on I proposed to adjourn, as I told them I thought it would be over in a half hour or so. Mr. Burson thereupon adjourned for half an hour. He proclaimed the adjournment aloud. I told each one of the judges to pick up a poll-book. I took the ballot-box, which one of the other judges tried to take from me. I think it was Ramsay, but I am not certain. Sharp words were passed between us, but I kept the ballot-box; they took the poll-books and went off. A man by the name of Jones asked me where the poll-books were. I told him that Burson and Ramsay had taken them off; he followed them and brought the poll-books back. I waited until the half hour had expired, and the other two judges did not come back. I waited ten minutes longer; I called them, but they did not come; I called them again, and they did not appear. I told the people that I would wait five or ten minutes longer, and if the other two judges did not come, they would have a right to select two men to act in their places. I waited ten minutes and they did not come, and the people elected two men to act in their places: namely, Sherman Wofful and Frank Lahay; they were qualified. I asked Mr. Taylor to repeat the oath to them, which he did; but, by mistake, Mr. Taylor signed the oath instead of myself. Mr. Taylor had been sworn in as clerk by Mr. Burson and Mr. Ramsay. Messrs. Wofful, and Lahay, and I, then opened the polls, and the election went off quietly during the remainder of the day. We kept the polls opened until 6 o'clock in the evening. Andrew McDonald was the pro-slavery candidate for the council, and Judge Wakefield was the free State candidate for council; O. H. Brown and Mr. Ward were the pro-slavery candidates for the house of representatives; Jesse was one of the free State candidates for the house, and the other I do not remember. All the votes received, after we began the second time, were for the pro-slavery candidates.

The ballot-box which I took possession of at the time of the adjournment I carefully preserved, and did not open it until 6 o'clock in the evening. It was then opened in presence of the other two judges who had been selected by the people and the clerks, the ballots were opened and counted; and there were twenty-one votes for the pro-slavery ticket, and twelve votes for the free State ticket. When we commenced the election the second time we got another ballot-box.

When I got there in the morning there were some thirty or forty men present about the house, and when I went into the house I saw some fifteen or twenty guns standing in one corner of the house, which had been brought there by the free State men. When the adjournment took place, the guns were taken away by the free State men. These were all the guns that I saw on the ground. I did not see a gun in the hands of a pro-slavery man that day. There was no charge made with either guns or pistols or other weapons at the window, nor

were there any threats of violence made by the pro-slavery men. There was no violence committed by the pro-slavery men there that day to the judges, nor were there any threats of violence offered as I saw.

I did not see Mr. Samuel Jones pull out his watch and say to the judges, Ramsey and Burson, that he would give them five minutes to resign, nor did I hear him afterwards say to them that he would give them one minute to resign. If this had have occurred I would have seen and heard it, for I was in the house all the time and was at the door when these two judges came out. I did not see Samuel Jones in the house at any time while Ramsey and Burson were there. In my neighborhood I was well acquainted with the settlers there, and at the time of the election, and before, the residents were almost all pro-slavery. From what I knew myself, and the information received from the census taker and others, I am satisfied that the pro-slavery party had a decided majority in the second district. Governor Reeder attached the residents of the half-breed Kaw lands, opposite the second district, on the other side of Kaw river, to the Douglas or second district; there were about sixteen or eighteen votes, and all of them pro-slavery men, and they voted that day.

I have had many conversations with free State men, and they told me that there was no law in the Territory, and that they would resist the laws at all hazards. This conversation occurred since the election.

John Simmons, who is a free State man, told me that the Emigrant Aid Society had furnished him with money to come to Kansas to aid and help to make Kansas a free State. There was no fuss or confusion in the settling of the Territory until after the organization of the Emigrant Aid Societies, and the arrival of men sent out by these societies came amongst us. Before these men came amongst us, we had several meetings in regard to matters in which we squatters were interested, and we never had any fuss; but as soon as they came the fuss commenced, and has continued ever since. From all that I heard and saw of these men, and what I know myself, I am satisfied that all the troubles in Kansas is traceable to and superinduced by the operations and conduct of the Emigrant Aid Societies. There was no trouble or confusion until the men of the east began to come in and mingle with us. I mean by "men of the east" men who have been sent out here by the Emigrant Aid Society.

PARIS ELLISON.

STATE OF MISSOURI, }
Jackson county, } ss.

On this 11th day of June, 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, Paris Ellison, whose name appears to the above and foregoing statement, and makes oath that the above statement is true as therein set forth.

Given under my hand and seal this 11th day of June, A. D. 1856.
Sworn to and subscribed before me,

THOMAS J. GOFORTH, [SEAL.]
Justice of the Peace.

STATE OF MISSOURI,)
County of Jackson,) ss.

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the above affidavit, now is and was, at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due and ought to be given to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof, I have hereto set my hand and affixed the
[L. S.] seal of said court at office in the city of Independence, the 13th
day of June, A. D. 1856.

JOHN R. SWEARINGEN, Clerk.

Deposition of John M. Smith.

The undersigned, John M. Smith, states, on oath, that I emigrated with my family to the Territory of Kansas, in January, 1855, from the State of Missouri, and settled near the town of Douglas, in the second district. I was present at the election held in the second district on the 30th day of March, 1855. It was held at Mr. Squire Burson's house. I saw a great many persons there, some two hundred in all. There were, at the least, that number of men who had claims in that district, and claimed the second district as their residence. Nearly all of those whom I saw there were men who had claims in the second district. Doctor Brooks and Sherman Wofful were residents of the district, and had each of them a claim, and each of them had a house on their claim; they were both unmarried men, but were there on their claims most of their time. I was near the window when they came up to vote; Doctor Brooks offered to vote first, and then Sherman Wofful offered to vote; both were objected to by Ramsey and Burson, two of the judges of the election, and would not take their votes unless they would swear to their residents; they, Doctor Brooks and Wofful, said it was unfair to make them swear to their votes when they, the judges, knew that they, Wofful and Brooks, were older residents than some of them, the judges. This produced a difficulty and confusion. Amid the confusion, Mr. Burson, one of the judges, came to the door, and in a loud voice proclaimed that the election was adjourned for half an hour. Burson, Ramsey, and other free State men went away. Burson nor Ramsey did not come back any more that day. Some of those men who went away with Burson and Ramsey carried away with them a number of guns, which they took out of the house. These were all the guns I saw on the ground that day. I did not see a gun in the hands of any pro-slavery man there, nor did I see pro-slavery men have arms of any sort there that day. There were no threats of violence offered to any one as I saw that day, and no acts of violence were committed on the person of any one. Upon the contrary, these men were asked to stay and vote, and were told that if they did stay that they should not be hurt; but

they did not stay. After the hour of adjournment expired, the people present selected two men to act in the places of Burson and Ramsey; the names of those two who were selected were Sherman Wofful and Mr. Lahay; they call him Frank. The election then went on without difficulty. I saw some free State men there in the afternoon, and asked them to vote, and to vote their own sentiments, but they refused, but did not give any reason. I was present when the ballot-box, which was used in the beginning of the voting, was opened. It was about six o'clock in the evening. I saw the votes counted; the pro-slavery candidates received, I think, about twenty-three votes, and the free State candidates received twelve votes. These were the votes polled before Mr. Burson adjourned the election. I voted after the election commenced the second time, and I saw a great many others vote. All that I saw vote were residents of the district. I was personally acquainted with many of them. From my knowledge of the resident voters of the second district, I am satisfied that the pro-slavery party had the majority. Before the emigration fairly opened that spring, the whole surrounding country was taken up principally by pro-slavery men, and there were a number of men from free States worked for pro-slavery men, and at the election voted the pro-slavery ticket: there were there three men from the free States working for me, and they voted the pro-slavery ticket.

Mr. John Shimmons, a free State man, told me that he was sent to the Territory of Kansas by the Aid Society, and that the Aid Society were sending out sharpshooters for the purpose of making Kansas a free State. He also told me that a hogshend, marked crockery ware, was received at Lawrence, but when it was opened it was full of Sharp's rifles. I asked him to sell me one; he told me that I could not buy one, for they were sent out here to make Kansas a free State.

I am fully satisfied all the troubles and difficulties in Kansas is traceable to, and have been superinduced by, the operations and acts of the Emigrant Aid societies. If these societies had not sent men out here for the open and avowed purpose, as they stated themselves, to make Kansas a free State, I don't think any of these troubles and difficulties would have occurred.

JOHN M. SMITH.

STATE OF MISSOURI, }
Jackson county, } ss.

On this 11th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, John M. Smith, whose name appears to the above and foregoing statement, and makes oath that the above and foregoing statement is true, as therein set forth.

Given under my hand and seal this 11th day of June, A. D. 1856.

Acknowledged and sworn to before me.

THOMAS J. GOFORTH, [L. S.]
Justice of the Peace.

NOTICE TO MEET FOR THE
County of Johnson, Mo.

I, John F. Sweetenagen, clerk of the county court, do hereby certify that Thomas J. McOrth, esq., whose genuine signature appears to the above affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly elected, commissioned, and qualified, and that full faith and credit is due and ought to be given to all his official acts as such, as well in courts of justice as fact out.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court in office in the city of Independence, this 13th day of June A. D. 1856.

JOHN F. SWEARENGEN, Clerk.

Deposition of O. H. Browne

The undersigned, O. H. Browne, on oath, says: I emigrated to the Territory of Kansas from Maryland, in August, 1854, and settled on the Kansas river, in the second district, at Leavenworth. I was a member of the legislature of that district. I was present at the election of the 30th of March, 1854, in the second district, after the voting had commenced, and some votes taken. The crowd had left the window when I went up to vote; there was no one in the room who would take my vote; and it was said by somebody, that no more votes would be taken there that day. The two free State judges, Ramsey and Burson, had gone off, and Samuel S. Jones went after them, and he brought back the poll books which had been carried off. Two other judges were selected, and the voting commenced again, and the election went off quietly. There was no violence used or threatened that day, from first to last, as I saw or heard. The first ballot box was carefully preserved unopened as it was left by the absconding judges; and another box was procured, in which the ballots that were received afterwards were deposited. When the polls were closed in the evening, the first ballot box was opened and the votes counted in my presence. There were thirty-three in all—twenty-one for O. H. Browne, and the same number for G. W. Ward; McDonald's vote I do not recollect. The free State ticket received twelve votes.

I was appointed to take the census by Governor Reesler, and did take the census; and was instructed, by Governor Reesler, to ascertain from every man from what State he emigrated. There were one hundred and twenty-seven from slave States, and seventy-two from free States—one hundred and ninety-nine (199) in all; so that I am fully satisfied that the pro-slavery party had a majority of actual resident voters at the time of the election. From the result of the census which I took, and the political sentiments of the people which I ascertained in taking the census, there is no doubt on my mind that the pro-slavery party had a majority of actual resident voters.

I fully believe that the troubles and difficulties in Kansas Territory have been produced by the operation of the Emigrant Aid Societies from the north and east.

O. H. BROWNE.

STATE OF MISSOURI, }
Jackson county, } ss.

On the 13th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, O. H. Browne; whose name appears to the above and foregoing statement, and made oath that the above and foregoing statement is true as therein set forth.

Given under my hand and seal, this 13th day of June, A. D. 1856.

Sworn to and acknowledged before me.

THOMAS J. GOFORTH, [L. s.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the above affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof I have hereunto set my hand and affixed the [L. s.] seal of said court, at office in the city of Independence, this 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, Clerk.

Deposition of RUFUS P. DOAK.

The undersigned, Rufus P. Doak, states, on oath, that I emigrated from Arkansas to the Territory of Kansas in September, 1854, and settled near Leecompton, in the second district, and still reside there. I was present at the election of the 30th of March, 1855, held at Mr. Burson's house, in the second district. As I went up to the house I saw two persons taking the poll books away; Judge Wakefield was with them. After a while the voting commenced again and I voted. The voting went on without difficulty. I saw Mr. Burson and Mr. Ramsey go away just as I got to the election, and they did not come back any more. There was no voting going on when I got there. There was no violence done or threatened towards any one, as I saw, there that day. I was not much acquainted with the people of my district; but I saw a good many persons at the election that day that I know now to be residents of the second district. Sometime early in December, 1854, as I was going home to my claim, near Leecompton, H. Rep. 200—73

from Westport, where I had been on business, I met a large number of persons travelling a foot, carrying carpet sacks. I talked to some of them. They told me that they had come out to the Territory of Kansas to vote; had voted, and were then returning home to the east. They said that they had been sent out and had done what they came for. I often came down to Westport then as it was our nearest market; and shortly after the election of the 30th of March, I was going home, travelling on the Lawrence road, I met a number of men who said they were in favor of a free State. These men which I met in December before said that they were from the east, and those whom I met shortly after the March election, also told me that they were from the east. These last named said that they were brought out by the Emigrant Aid society, for the purpose of making Kansas a free State. They said that they had voted, and that was all they promised to do, and were going home and would not come back any more; but that the Emigrant Aid society had not fulfilled their promises, and they cursed the Aid society, and were dissatisfied with the treatment of the Aid society. Captain Leonard, of Boston, who resides in Douglas county, between Lawrence and Leecompton, told me, last winter, that he had been sent out to the Territory by the aid society, and others had been sent with him, and that Sharp's rifles had been placed in their hands to aid them in making Kansas a free State; that they intended to make it a free State, and would fight, if it was necessary to do so. And he said he believed it would be necessary, and that he had a large company of men that were ready at any minute. They were in the habit of drilling, and I have seen them go out to drill frequently. A Mr. Conner told me that Captain Walker, who resides about half way between Lawrence and Leecompton, had a large company, armed with Sharp's rifles, Colt's revolvers, and sabres; that it was intended by them to make Kansas a free State or die in the attempt. I understood from Conner that this company, at first, was a secret organized company. Lieutenant Herd, who belonged to Captain Walker's company, told me that he was lieutenant, and that they drilled regularly, and after drill would deposit their arms at Walker's. I think all the troubles and difficulties in Kansas have been produced by the operation of the Emigrant Aid societies. I have frequently, during the fall and winter last past, seen numbers of free State men have Sharp's rifles. It was common for them to carry Sharp's rifles along with them. Last winter I heard Captain Leonard threaten the pro-slavery people. He said he would drive the pro-slavery party from the Territory, men, women, and children and all. From my knowledge of the resident voters in the second district, I am satisfied that the pro-slavery party had a decided majority.

RUFUS P. DOAK.

STATE OF MISSOURI, }
Jackson county, } ss.

On the 12th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, Rufus P. Doak, whose name appears to the above and

foregoing statement, and made oath that the above and foregoing statement is true as therein set forth.

Given under my hand and seal this 12th day of June, A. D. 1856.

Sworn to and acknowledged before me,

THOMAS J. GOFORTH, [SEAL.]
Justice of the Peace.

STATE OF MISSOURI, } ss.
County of Jackson. }

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the within and foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due and ought to be given to all his official acts as such as well in courts of justice as thereon.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court at office in the city of Independence, this 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, Clerk.

Deposition of Beverly Gentry.

The undersigned, Beverly Gentry, states on oath that I emigrated from the State of Missouri to the Territory of Kansas in October, 1854, and settled near Kansas river about six miles from Lawrence, in the second district. I was present at the election of March 30, 1855. I voted. I was not about the polls much. I saw nothing more than what I had been accustomed to see at elections. When I went up to vote I was crowded a good deal, but was not hurt. I saw no violence there, nor did I hear of any threats of violence. I saw no guns in the hands of pro-slavery men that day, but I did see some free State men have guns, but they seemed to be peaceable enough. I am tolerably well acquainted in the second election district, and am tolerably well acquainted with the political sentiments of that district, and was before and at the election of the 30th of March, and I am satisfied in my precinct, the second district, the pro-slavery party had a decided majority previous to and at the election of the 30th of March. I mean a decided majority of the resident voters, men who had actually settled in the district.

From all that I know, and have learned from others whom I believe, I am fully satisfied that all the troubles and difficulties which are now upon the people of Kansas, and all the troubles and difficulties from the beginning, have been the result of the operation of the emigrant aid societies. Had not this society sent out to our Territory men for the purpose of making Kansas a free State, and had this aid society left the emigration free from the bonds of organization, no difficulty or trouble would have arisen in the settlement of Kansas—bloodshed and civil war would have been avoided.

BEVERLY GENTRY.

STATE OF MISSOURI, }
Jackson county. } *ss.*

On the 12th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, Beverly Gentry, whose name appears to the above and foregoing statement, and made oath that the above and foregoing statement is true as therein set forth.

Given under my hand and seal this 12th day of June, A. D. 1856.
 Sworn to and acknowledged before me,

THOMAS J. GOFORTH, [SEAL.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } *ss.*

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due and ought to be given to all his official acts, as such, as well in courts of justice as therout.

In testimony whereof, I have herewith set my hand and affixed the seal of said court at office in the city of Independence, this [L. s.] 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, *Clerk.*

Deposition of S. J. Wafal.

The undersigned, S. J. Wafal, states on oath, that I emigrated from New York to the Territory of Kansas, in June, 1854, and settled in the second district, near Douglas, and have resided there ever since. I was present at the election of the 30th day of March, 1855, held at the house of Mr. Harrison Burson. I was one of the first at the election that day. Burson, Ramsay and Ellison were the judges. George W. Taylor was one of the clerks. The voting had commenced (I think there were some thirty votes polled) before I went up to vote. When I went up to vote, the two free State judges wanted to swear me. Ellison told them that they knew me to be a legal voter; but they still refused my vote. One of the free State judges has told me—it was Mr. Burson—that he has known me ever since he, Burson, was in the Territory; yet he would not let me vote unless I would swear. While I was standing there, insisting to vote, two free State men, one from New York, and the other from Massachusetts, who had just arrived in the district the day before, came up to vote, and their votes were received and put in the ballot-box. One of the two just named—the one from New York—I saw the day before at Mr. Lewis' house, and he said he had just come to the country, and the other said he had just arrived. This affair produced a difficulty, and there was no more

voting for a while. The people outside became indignant at this partiality. The free State men outside hollered to the judges, "stick to it, and swear all the pro-slavery men." These two strangers were permitted to vote without swearing. Burson then came to the door and adjourned the election for half an hour, on account of the row outside, and he and Ramsay went away with the poll-books. The poll-books were brought back by Samuel J. Jones. Ramsay and Burson did not come back any more that day; and when the time of adjournment had expired, I was elected by the people to act as one judge, and Frank Lahay was elected as the other. Mr. Ellison, Lahay and I then got another ballot-box and proceeded with the election. There was no more difficulty or confusion that day. The ballot-box first used by the first board of judges was carefully preserved unopened until we closed the polls in the evening. The polls were closed at six o'clock. We first opened the first ballot-box that was used that day, and counted the tickets. The free State party had twelve votes, and the pro-slavery party had twenty-one or twenty-two. The candidates for council were Andrew McDonald, pro-slavery, and J. A. Wakefield, the free State candidate. O. H. Brown and G. W. Ward were the pro-slavery candidates for the house of representatives, and Jesse and one other man, whose name I do not remember, were the free State candidates for the house. We then proceeded to count the ballots in the other box. I saw some of the free State men armed with guns that day; and there were some guns stacked in the house. I was well acquainted in the second district. I knew the political sentiments of nearly all the resident voters; and the pro-slavery party had a decided majority in the second district.

I am fully satisfied that the action and operation of the Emigrant Aid Society has produced all the troubles and difficulties in Kansas, except the troubles and difficulties growing out of private quarrels. If the Emigrant Aid Society had not interfered with the settlement of Kansas, I believe peace and quiet would have been preserved.

S. J. WAFUL.

STATE OF MISSOURI, }
Jackson County, } ss.

On the 12th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, S. J. Waful, whose name appears to the above and a foregoing statement, and made oath that the above and a foregoing statement is true as therein set forth.

Given under my hand and seal this 12th day of June, A. D. 1856.
Sworn and acknowledged before me,

THOMAS J. GOFORTH, [L. s.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court, within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq.,

whose genuine signature appears to the within affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due, and ought to be given, to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at office, in the city of Independence, this [L. S.] 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, *Clerk.*

Deposition of C. N. Michie.

The undersigned, C. N. Michie, states on oath, that I emigrated to the Territory of Kansas in January, 1855, and settled about four miles below Lecompton, and have resided there ever since. I came from Virginia. Was present at the election of March 30, 1855, in the second district; went with about thirty or forty of my neighbors to the polls, all pro-slavery men. The polls were held at Burson's house. Burson, Ellison, and Ramsay were the judges appointed by the governor, and they opened the polls, and voting commenced. I was present at the polls when Dr. Brooke came up to vote. Burson and Ramsay refused to let him vote unless he would swear, which Dr. Brooke refused to do, because he was well known by Mr. Ellison, one of the Judges, to be a resident of the district. This produced a difficulty and confusion among the crowd outside. After this I saw Burson and Ramsay come out of the house and walk off, and neither of them came back any more that day, as I saw. Some time after they went away two others were appointed to act in their places; Sherman Wafel was one, and I do not recollect the other, but I think it was Frank Laha. After these men were appointed the polls were reopened and voting commenced again. I saw no more difficulty or confusion after that. There were some thirty or forty resident pro-slavery voters in my immediate neighborhood, who went with me and voted. I did not know a freesoil voter in my neighborhood at that time. It is my opinion that all the difficulties in Kansas Territory resulted from the action of the Emigrant Aid Society in sending out men to make Kansas a free State. From the acquaintance I had in the second district, I am satisfied that the pro-slavery party had a large majority of resident voters in that district.

C. N. MICHIE.

STATE OF MISSOURI, }
Jackson county, } ss.

On the 11th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, C. N. Michie, whose name appears to the above and foregoing statement, and makes oath that the above and foregoing statement is true as therein set forth.

Given under my hand and seal this 11th day of June, A. D. 1856.
Acknowledged and sworn to before me,

THOMAS J. GOFORTH, [L. s.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, }

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the above affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly elected, commissioned, and qualified, and that full faith and credit is due and ought to be given to all his official acts as such, as well in courts of justice as thereon.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at office in the city of Independence, this [L. s.]
thirteenth day of June, A. D. 1856.

JOHN R. SWEARINGEN, *Clerk.*

Deposition and statement of L. B. Stateler.

At an election held for the third district, at the town of Tecumseh, K. T., 30th of March, 1855. Judges appointed by Governor Reeder, Messrs. L. B. Stateler, — Burgess, and H. N. Watts.

1st. A consultation held by the three judges in reference to the form of oath, two proposing to take the organic act as their guide, the other (Burgess) determining to take the form prescribed by the governor; 2d. two wishing to have clerks, the other (Burgess) refusing to have any; whereupon Mr. Watts resigned; the other two not agreeing as to the manner of conducting the election, Stateler proposed to Burgess that we all mutually consent to resign, to which he (Burgess) consented, and it was proclaimed from the window to the assembled voters without; whereupon they proceeded according to the governor's instructions in an orderly manner to elect other judges to fill the vacancy, and proceeded to business.

The pro-slavery voters generally present, and voted. The free-soilers did not generally attend, though not prevented from either attending or voting, as those who were present did vote.

There was some excitement existing at the time in the Territory, which was attributed by all sober, reflecting men to the Emigrant Aid Society's movements in bringing into the Territory a great number of men at the time of the election in March, most of whom were men without families, many of whom returned soon after the election was past to their former homes. At our fall election for delegate to Congress the first time, I was appointed by the governor as one of the judges, and a more quiet election I never witnessed; all parties came together as neighbors and voted and went their way; and so I think it would have remained but for the foreign interference referred to above.

L. B. STATELER.

STATE OF MISSOURI, }
 Jackson county, } ss.

On the 13th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, L. E. Stetler, whose name appears to the above and foregoing statement, made oath that the above and foregoing statement is true and correct as therein set forth.

Given under my hand and seal, this 13th day of June, 1856.
 [L. s.] Sworn and subscribed to before me.

THOMAS J. GOFORTH,
Justice of the Peace.

STATE OF MISSOURI, }
 County of Jackson, } ss.

I, John R. Swearengen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the within and foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due and ought to be given to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof, I have hereto set my hand and affixed the seal of said court, at office in the city of Independence, this
 [L. s.] 13th day of June, A. D. 1856.

JOHN R. SWEARENGEN, *Clerk.*

Deposition of Isaac M. Edwards.

The undersigned, Isaac M. Edwards, states on oath:

I emigrated to the Territory of Kansas in September, 1854, and settled in the third district, near Tecumseh, and have resided there ever since I came from Illinois. I was present at the election of the 30th of March, 1855. I was about the polls pretty much all the day. I saw no violence used or threatened toward any one, nor did I hear of any in regard to voting at all. Free State men were invited to come to the polls and vote. I heard of a difficulty that day, but it was not in relation to the election or voting, but was a private difficulty between Mr. Stinson and Mr. Burgess. I am pretty well acquainted throughout the third district, and know pretty generally the political sentiments of the people, and I know that there was a large majority in favor of the pro-slavery party. I saw them all at the election, with a few exceptions, and saw a great many of them vote. It is my opinion that all the difficulties and troubles have been produced by the operation of the Emigrant Aid Society. I am satisfied that if the Emigrant Aid Society had not sent men out to the Territory of Kansas for the purpose of making it a free State, there would be no trouble or difficulties in the Territory.

ISAAC M. EDWARDS.

STATE OF MISSOURI, }
Jackson county, } ss.

On the 11th day of June, A. D. 1856, personally appeared before me the subscriber, a justice of the peace in and for the county and State aforesaid, Isaac M. Edwards, whose name appears to the above and a foregoing statement, and makes oath that the above and foregoing statement is true as therein set forth.

Given under my hand and seal, this 11th day of June, A. D. 1856.

Acknowledged and sworn to before me,

THOMAS J. GOFORTH, [L. s.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court, within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the above and foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof, I have hereunto set my hand and affixed the [L. s.] seal of said court, at office in the city of Independence, this 13th day of June, 1856.

JOHN R. SWEARINGEN, *Clerk.*

Deposition of Robert A. Edwards.

The undersigned, Robert A. Edwards, states on oath that I emigrated to the Territory of Kansas in the summer of 1854, and settled in the third district near Tecumseh. I came from Illinois. I have resided on my claim near Tecumseh ever since the summer of 1854. I was, and am yet, pretty well acquainted in Tecumseh and vicinity. I was present at the election for members of the legislature, held in Tecumseh on the 30th of March, 1855. I was about the polls all day. I saw no violence used or threatened towards any one, nor did I hear of any in regard to voting at all. But, on the contrary, I saw and heard the free State men invited to come to the polls and vote. None accepted the invitation. I heard of a difficulty on that day, but it was not in relation to the election or voting in any way; that difficulty was between Thomas N. Stinson and Mr. Burgess. It was a private affair. Mr. Burgess had said to me, in a conversation in regard to the reserves of Mr. Stinson and Mr. E. Boshman—the latter an Indian—"that he did not look upon any man who would marry an Indian as any better than a man who would marry a negro; that he thought a negro was better than an Indian, and, for his part, that he would rather marry a negro than an Indian." The above, as quoted, to my recollection and belief, is the exact language of Mr. Burgess. I told Mr. Stinson of the conversation I had had with Mr.

Burgess. Mr. Stinson said that he would go immediately in the house and attack Mr. Burgess. This is all took place in the morning before the polls had been opened. Mr. Stinson left immediately upon saying that he would do so, and walked into the house. I did not see or hear what passed between Mr. Stinson and Mr. Burgess in the house. I am pretty well acquainted in the neighborhood of Tecumseh, and I examined the poll list when the committee was at Tecumseh. I mean the poll lists of the third district, upon which are recorded the names of those who voted on the 30th March, 1855, and I find on the said poll-list the names of the following men, whom I knew to be actual residents of the Territory and district at the time of the election of the 30th March, 1855:

John W Kavanaugh	E G Vaughan
Owen C Stewart	John Piles
F A Wentworth	L W Swearingen
W A Sublett	James Hemin
G M Holloway	H N Natty
J R Warren	J H Weaver
Jesse Michiner	C Copeland
Wafer Satterwhite	John Horner
T N Stinson	Samuel P McCutchin
D W Hunter	James M Small
J C Riggs	T W Hays
R H Matthews	Horatio Cocks
Thomas West	J R Waysman
B Wilks	G W Berry
A D M Hand	P C Boggs
Jerry Nicham	Robert A. Edwards
W A Owen	Peter Croco
Jerome Bowles	A G Brown
Isaac Strother	A J Kelly
Jacob Piles	Edward Uptegraph
P Wood	W R Boggs
Joseph McConnald	Edmund Byerly

H. W. Brady, M. H. Christian, L. B. Stateler, Charles Alexander, Francis Grassmuck, John Sailing, A. F. Byler, J. M. Edwards, L. P. Chilson, J. R. Agee, H. Z. Quishenbery, H. J. Strickler, D. L. Crossdale, William Piekerel, W. A. M. Vaughan. I am satisfied that, at the time of the election of the 30th March, 1855, that there was a large majority of the resident voters in favor of the pro-slavery party; quite all, if not all, of the pro-slavery residents of the third district voted at that election. It is my opinion, and the opinion of the neighbors generally, that all the difficulties and troubles in Kansas were produced by the operations of the Emigrant Aid Society. I am satisfied that, if the Emigrant Aid Society had not sent men out to the Territory of Kansas for the purpose of making it a free State, the troubles and difficulties that are now upon us would have never occurred.

R. A. EDWARDS.

STATE OF MISSOURI, {
Jackson county, } ss.

On the 11th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, Robert A. Edwards, whose name appears to the above and foregoing statement, and makes oath that the above and foregoing statement is true as therein set forth.

Given under my hand and seal, this 11th day of June, A. D. 1856.
 Acknowledged and sworn before me.

THOMAS J. GOFORTH, [L. s.]
Justice of the Peace.

STATE OF MISSOURI, {
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly elected, commissioned, and qualified, and that full faith and credit is due and ought to be given to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof I have hereunto set my hand, and affixed the [L. s.] seal of said court at office, in the city of Independence, this 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, *Clerk.*

Deposition of W. A. M. Vaughan.

The undersigned, W. A. M. Vaughan, states on oath that I emigrated from Nebraska Territory to Kansas Territory, in November, 1854, and settled at the town of Tecumseh, in the third district. I opened a store, and have been keeping store in Tecumseh ever since. On one Sunday morning, a short time before the election of March 30, 1855, a party of men, some six or seven, came to our store and waked us up. A young man, Sublett, was doing business for me, and was in bed with me. After the door was opened they came in; Mr. Sublett asked them where they were from, and remarked, from the east, I suppose. One of them replied that they were from Pennsylvania. They said they were free State men, and had been brought out by Governor Reeder. They also said there was a company of eighty, made up in Easton, Pennsylvania, who were coming in time for the election, and that they were furnished money by Governor Reeder's secretary, at Easton, to come out on. They said they were determined to make Kansas a free State, and that they had been directed by Governor Reeder to go to Pawnee, and there they would find some one who would give them further directions. I saw three of them returning, and they told me they were very much dissatisfied, and that Reeder had told them a pack of damned lies. As they were

going up, they remarked that they presumed they knew of the election in Pennsylvania before the people did here in Kansas. This was drawn out by Mr. Sublett passing himself off to them as a free State man.

It is my opinion that all the troubles and difficulties in Kansas are traceable to and were superinduced by the operations and acts of the Emigrant Aid Societies, and I am satisfied, that if the Emigrant Aid Societies had not sent men out to the Territory of Kansas, for the purpose of making Kansas a free State, these troubles and difficulties would never have occurred, and have heard free State men utter the same opinion. I wrote several letters to citizens of Missouri, informing them that I had seen and conversed with free State men, who told me that they had been sent out to Kansas by the Emigrant Aid Societies to make Kansas a free State, and that they, these free State men, also told me that large numbers more were coming.

I am one of the oldest settlers in the third district, and have kept store in Tecumseh ever since I went to the Territory, and have had a good opportunity to know the political opinions of the people of the third district, and I am satisfied that there was a decided majority of the pro-slavery party in the third district at the time of the election of March 30, 1855. I mean of the actual settlers of the district, and that Hiram J. Strickler and David L. Croysdale were elected by the actual residents of the district.

Some of the men who signed and swore to the protest against the election at the third district, on the 30th of March, are now indicted for perjury. Mr. Burgess is one of the men who is indicted for perjury. He was indicted by the grand jury of Shawnee county.

WM. A. M. VAUGHAN.

STATE OF MISSOURI, }
Jackson county, } ss:

On the 11th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, W. A. M. Vaughan, whose name appears to the above and foregoing statement, and makes oath that the above and foregoing statement is true as therein set forth.

Given under my hand and seal this 11th day of June, A. D. 1856.

Acknowledged and sworn to before me,

THOMAS J. GOFORTH, [SEAL.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss:

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the above affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due to all his official acts as such, as well in courts of justice as therout.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court at office, in the city of Independence, this [L. S.] 14th day of June, A. D. 1856.

JOHN R. SWEARINGEN, Clerk.

Deposition of Samuel Scott.

The undersigned, Samuel Scott, states on oath that "I emigrated to the Territory of Kansas, from the State of Missouri, in the month of December, 1854, and reside there still; I settled in the fifth council district. I was present at the election of the 30th of March, held in that district on Little Sugar creek, at Stockton's house, at a place called "The Sugar Mound." Mr. Stockton was one of the judges appointed by Reeder, he acted; the names of the other two I do not now recollect, but I know them. David Lykins and A. M. Coffee were the pro-slavery candidates for the council, and Wm. A. Heiskell, Henry Younger, Allen Wilkinson, and myself were the pro-slavery candidates. All resided in the district at the time of the election, and all reside there still except Mr. Younger. I think he sold out and left. Mr. Fox and Mr. Morris were the free State candidates for the council, and Messrs. Houser, Jennings, Poor, and a Mr. Surple were the free State candidates. Mr. Surple was an Englishman. The election went on quietly and there was no disturbance or difficulty. At a grocery there was some little confusion and noise, but nothing in regard to the election. I was and am still well acquainted with the resident voters in my precinct. All the persons that attended at that precinct were actual residents of the district except one, and he said he had a claim. From my knowledge of the actual resident voters who reside in that district, the fifth council district, the pro-slavery party had a majority. There were some ten or fifteen free State men came from Fort Scott district and voted in our district.

Mr. Surple, one of the free State candidates, came to me in February, 1855, and told me that the free State party had chosen him as one of the standard bearers of the free State party, that he was opposed to the extension of slavery, and in favor of making Kansas a free State. He told me that there was a society in the east formed for the purpose of making Kansas a free State, and abolishing slavery in the United States. He said that this society had money, men, and means, and would not cease their operations until they would abolish slavery in the whole country. He also said a similar society had been formed in London (in Europe) for the same purpose. He said that he was an Englishman. He said that he had been in England three or four times since he had first come to the United States, which was about eight years ago, as he said. This induced me to become a candidate. I have not seen Mr. Jennings, one of the free State candidates for the house in our district since the election, he left directly after the election. At that time I knew a large majority of all the settlers of the fifth council district, and at the time of the election the pro-slavery party had a decided majority of the actual residents.

I am fully satisfied that the foundation of all the troubles in Kansas



have sprung from the operation of the Emigrant Aid Society. I have heard free State men say that they were satisfied that the Emigrant Aid Society has been the whole cause of the troubles and difficulties in Kansas. And they said that they would never have any thing more to do with the aid societies. As they believed the unlawful deeds done in the Territory were done on account of the aid societies. When these ten or fifteen men came from Fort Scott district the friends of our side told me to try and stop them. I said let them vote, we will beat them any how.

SAMUEL SCOTT.

STATE OF MISSOURI, }
Jackson county, } ss.

On the 13th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace, in and for the county and State aforesaid, Samuel Scott, whose name appears to the above and foregoing statement, made oath that the above and foregoing statement is true as therein set forth.

Given under my hand and seal, this 13th day of June, A. D. 1856.

Sworn to and acknowledged before me,

THOS. J. GOFORTH, [L. s.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify, that Thomas J. Goforth, esq., whose genuine signature appears to the within affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly elected, commissioned and qualified, and that full faith and credit is due and ought to be given to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof, I have herunto set my hand and affixed the [L. s.] seal of said court, at office in the city of Independence, this 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, Clerk.

Deposition of William A. Heiskell.

The undersigned, William A. Heiskell, states on oath that I emigrated to the Territory of Kansas in 1849, and located at the Sac and Fox agency, and have resided in the Territory ever since. I was present at the election of the 30th of March, 1855, held in the fifth council district, at the Old Catholic Mission, on Big Sugar creek. The candidates were David Lykins and A. M. Coffee, pro-slavery, and Mr. Fox and Mr. Morris, free State; the above were the candidates for council. For the house of representatives the pro-slavery candidates were Samuel Scott, Henry Younger, Allen Wilkinson, and myself. The free State candidates Houser, Poor, Jennings, and the name of

the other I do not now recollect. The names of the judges were Smith, Tucker, and Brown. The polls were opened about the time mentioned in the governor's proclamation, I think 8 o'clock was the hour. At this precinct there were no votes offered or received that day but actual resident voters. I was well acquainted in this precinct and knew almost every voter that was there that day on both sides. All voted except two or three of the free State party; one of them, Mr. Drer, told me that the reason he did not vote was that he was dissatisfied with the free State ticket. They voted by secret ballot. There was no fuss or confusion at the polls that day, except that Mr. Arthur, one of the judges, refused to record a vote which was believed to be good by the other two judges. Mr. Arthur persisting in his objections, and the other two judges insisting that the voter was legally entitled to vote, made the only fuss or confusion. Mr. Arthur withdrew and refused to act, and Mr. Smith was appointed in his place; the election then went on quietly. The pro-slavery ticket, I think, got fifty-six votes, and the free State ticket about eighteen. The actual settlers of that precinct were pretty generally out at the election. I am well acquainted with the actual residents of that precinct and I know that the pro-slavery party had a large majority in that precinct of actual residents at the time of the election. I was at that time and am still pretty well acquainted with the actual settlers of the whole council district No. 5, and I am satisfied that the pro-slavery party at the time of the election had a majority of the actual residents of that council district. Many of the free State party were dissatisfied with their ticket. The free State emigration into our district about the time of the election was greater than at any time, before or since, for the same length of time. I fully believe that the operation and organization of the Emigrant Aid Society, and other kindred societies, have been the foundation of all the troubles and difficulties in Kansas Territory.

Some of the free State men before the election told me that they would vote the pro-slavery ticket, and a good many of the free State men told me after the election that they had voted the pro-slavery ticket.

A. M. Coffey, one of the pro-slavery candidates for the council, came to the Territory to reside before the 30th of March election, and has resided in the fifth council district ever since. David Lykins has resided in the fifth council district for eight or ten years. Samuel Scott and Allen Wilkinson both resided in the district before the election, and reside there still. Wilkinson is dead. Henry Younger lived in the Territory before the election. The three last were candidates for the house.

WM. A. HEISKELL.

STATE OF MISSOURI, }
Jackson county, } ss.

On the 15th day of June, A. D. 1856, personally appeared before me the subscriber, a justice of the peace in and for the county and State aforesaid, Wm. A. Heiskell, whose name appears to the above

and foregoing statement, and made oath that the above and foregoing statement is true as therein set forth.

Given under my hand and seal this 13th day of June, A. D. 1856.
[L. s.] Sworn to and acknowledged before me.

THOMAS J. GOFORTH,
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } *ss.*

I, John R. Swearingen, clerk of the county court, within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due and ought to be given to all his official acts, as such, as well in courts of justice as therout.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at office in the city of Independence, this
[L. s.] 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, *Clerk.*

Affidavit of Thomas Johnson.

I hereby certify that a short time before the meeting of the Kansas legislature at Pawnee, that I had an interview with Governor Reeder, and endeavored to persuade him to change his proclamation, and call the legislature together at some other place, as we understood that suitable arrangements could not be made in time, and a large portion of the members elect had petitioned to have the place of meeting changed. He told me that, if he could get definite information, that suitable preparations, such as he had ordered, were not made or could not be made in time, that he would change his proclamation. But he supposed that if we did convene at Pawnee and found that we had not suitable accommodations, that we would adjourn to some other place; and said if that should be the case he would acquiesce and go with us. He said that if the wording of the Kansas bill had been the same as that of Nebraska, there would be some doubt as to our right to adjourn to another place. But the language of the Kansas bill being entirely different, no question could be raised on that subject. And on the same evening after this interview, reliable information was received that the expected preparations had not been made, and could not be made in time for the session of the legislature. But Governor Reeder did not change his proclamation as he had promised to do, and never assigned any reason why he did not.

I further testify that, after we got to Pawnee, nearly all of the members of the legislature had to camp out in the open sun, and do their own cooking, without even a shade tree to protect them; for there were no boarding houses in the neighborhood, excepting two

unfinished shanties, which were not sufficient to accommodate one-fifth part of the people who had business with the legislature; and, in addition to this, I will add that the cholera broke out while we were there, and one man died with it, and several members and clerks of the legislature had strong cholera symptoms before we adjourned.

THOMAS JOHNSON.

JUNE 5, 1856.

Subscribed and sworn to before me, an acting justice of the peace in and for Jackson county, State of Missouri.

THOMAS J. GOFORTH, J. P.

JUNE 5, A. D. 1856.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly elected, commissioned, and qualified, and that full faith and credit is due and ought to be given to all his official acts as such, as well in courts of justice as therout.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at office in the city of Independence, this [L. s.] 13th day of June, 1856.

JOHN R. SWEARINGEN, Clerk.

Affidavit of Samuel A. Williams.

I am a resident of the Territory of Kansas, and have been since the 1st of March, 1855; was a candidate for the legislature in the sixth representative district, and was elected as one of the representatives of that district. A. H. Reeder issued his proclamation calling us together at the town of Pawnee, to meet on the first Monday of July, 1855. Pawnee is about one hundred and fifty miles up the Kansas river, is on the out edge of the settlements, or was, at that time, if there was any settlers west of Pawnee. At that time I did not know it was so remote from my district that I could not correspond with my family or constituents, as there was no mail facilities; the accommodations there were very bad; so bad, in fact, that a great portion of the members were compelled to camp out, and sleep on the ground, and cook for themselves; there was but one house for boarders, and that was mean and small. I and two others got boarding at the fort, about one and a half miles from the warehouse we met in, which I had to walk to my meals under a July sun. I begged hard before I could get it; it was a mess house some of the officers of the post had. There was considerable sickness, reported to be cholera, before we left Pawnee, and some of the members were very much

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alarmed. The house we met in had but two rooms, and was not completed; they worked on it all day the Sunday before the meeting to get the roof on; the floors were loose, and it had no doors or windows. As long as we staid there, we had no room for a committee to meet, and, in consequence, we could not remain in session more than one or two hours at a time.

SAMUEL A. WILLIAMS.

Subscribed and sworn to, before me, this 9th day of June, A. D. 1856.

THOMAS J. GOFORTH,
Justice of the Peace, Jackson county, Missouri.

STATE OF MISSOURI, }
County of Jackson, }

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the above affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due, and ought to be given, to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at office, in the city of Independence, this [L. S.] 14th day of June, A. D. 1856.

JOHN R. SWEARINGEN, *Clerk.*

Deposition of William Barbee.

STATE OF MISSOURI, }
Jackson county, }

On the sixth day of June, in the year of our Lord one thousand eight hundred and fifty-six, personally appeared before me, the undersigned, a justice of the peace in and for the county and State aforesaid, William Barbee, who deposed and said: That the members elect of the first legislative assembly of the Territory of Kansas met at the Shawnee Mission some time in the early part of April, 1855, and while there memorialized Governor Reeder to call them together at an early day, as many of us believed at the time there were no laws in force in the Territory by which crimes could be punished and civil wrongs redressed; and he was also asked, in the same memorial, to assemble the legislature at some other place than Pawnee. The requests thus made were refused, and the legislature, by proclamation of the governor, assembled at Pawnee on the second day of July, 1855. When we (I being a member of the council) got to Pawnee we found but three or four inhabitable buildings, and but one house at which any of us could be accommodated, and at that house but a small portion of the members and officers of the legislature could be accommo-

dated, so that the greater portion of the members and officers of both branches of the assembly were obliged to camp out beneath a scorching July sun—there being no trees or other shelter from the burning sun—and procure provisions, cook, and wash for themselves. In the meantime, during the sitting of the legislature, the cholera broke out, and many died from attacks of the cholera. Provisions at last became scarce, and the weather was so dry and hot that the beef on hand spoiled, and no beef could be had, and scarcely any other kind of meat, and no vegetables. There was no provender, except the burnt grass of the prairie, for our horses, and no shelter or place to keep them, but were obliged to picket them out, at a risk of losing them. The house in which we were to meet, on Sunday morning before the Monday on which the legislature was to assemble, had no floors up stairs nor down stairs, neither were there any doors or windows to it, so that the exposure to the sun was nearly as great in that house as out of it. On Sunday the floors were laid loosely down, but neither windows or doors were put to the building during the time we remained there. Believing that Governor Reeder would have sufficient accommodations prepared for us we took little or nothing of material for camp life, so that we were wholly unprepared to protect ourselves against the weather, as well as to protect ourselves against hunger. Many of us were obliged to lie on the ground. The house in which Governor Reeder was quartered was comfortable, and nearly as large as the hotel, (as it was termed,) and occupied half of it himself. Although we were within a mile or a mile and a half of Fort Riley, a United States government post, yet if we would not have taken some provision with us we would have been without anything to eat, for we could get nothing of the sort at the fort. Pawnee is situated on the Kansas river, about one hundred and forty or fifty miles from its mouth. While there we could have no communication with our families or constituents, except by private messengers. There were but two rooms in the house where we were assembled, one for the council, and one for the house, and no room in the town could be procured for a committee to deliberate. It was impossible, almost, for legislation to be done. Unless the two houses would adjourn from time to time, no business could be prepared by the committees for the action of the respective houses. If we had remained there, but little legislation could have been done, as the committees would have been of necessity forced to meet in daylight, on the open prairie, beneath the power of a hot sun in the months of July and August. The foregoing I should state before the "Kansas investigating committee" if permitted, but not being allowed to do so before them, I make the statement and swear to it before a justice of the peace.

WM. BARBEE.

Acknowledged before me, June 6, 1855.

THOMAS J. GOFORTH,
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

Be it remembered, that on this sixth day of June, A. D. 1856, personally came before me, the undersigned, justice of the peace in and for the county and State aforesaid, William Barlee, whose name is subscribed to the foregoing statement, and, upon his oath, states that the above and foregoing statements are true as set forth.

Given under my hand, this sixth day of June, A. D. 1856.

THOMAS J. GOFORTH,
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly elected, commissioned, and qualified, and that full faith and credit is due to all his official acts as such, as well in courts of justice as therout.

In testimony whereof I have hereunto set my hand and affixed the [L. S.] seal of said court at office in the city of Independence, this thirteenth day of April, A. D. 1856.

JOHN R. SWEARINGEN, Clerk.

Deposition of Alexander S. Johnson.

I am a citizen of Kansas Territory; was born and raised in that Territory. I was a resident of the seventeenth representative district on the 30th of March, 1855. I was a candidate for the legislature from the fourth and seventeenth representative districts, was legally elected, and received my certificate of election from the governor.

A few days after the election I, with a majority of the members elect, respectfully petitioned Governor A. H. Reeder to call the legislature together, as soon as possible, at the Shawnee mission, or some other convenient place. We did this from the fact that Governor A. H. Reeder had said that he intended calling the legislature together at Pawnee. To this petition Governor A. H. Reeder returned no answer, although at the time he promised to answer it.

The legislature was called together by the governor on the first Monday in July, at the town of Pawnee. I arrived at Pawnee on the Sunday before the meeting of the legislature, and found some three habitable houses, only one of which was prepared for the public, and it was a small temporary house, not sufficient to keep one-fifth of the members and officers of the legislature.

I, with a majority of the members of the legislature, were compelled to camp out and sleep on the ground, and do our own cooking. We either had to do this or go home. We had to camp on the bank

of the Kansas river, under a hot July sun, there being no shade tree in less than half a mile of the place.

The house in which the legislature assembled had neither doors nor windows, and only two rooms, with plank laid down temporarily for floors, and was not ready for us until late Monday evening.

Many of the members and officers became quite unwell, not being accustomed to the hardship and exposures of which they had to endure. One man died with the cholera, in less than one hundred yards of my tent. Some of the members had strong cholera symptoms. We had no chance to correspond with our constituents or families, except by private messengers, there being no mail facilities. The proprietor in the only hotel in the place told me on the day we adjourned that he could not have kept those that were boarding with him a day longer, as he was almost out of provisions, and that he and his servants were broken down. We had no place for our committee to meet, and were compelled to adjourn early every day, that the members might prepare their meals and attend to their horses.

Pawnee is situated about 140 or 150 miles above the mouth of the Kansas river, and inconvenient to all the members of the legislature, with the exception of one or two. I had to camp out from the time I left home until I came back.

I know that Governor A. H. Reeder was a large proprietor in the town of Pawnee; have heard him say so; have seen him sell property in that town.

The Kansas committee do not permit me to give in this testimony; hence I make this statement before a magistrate and swear to it.

ALEXANDER S. JOHNSON.

Subscribed and sworn to before me, a justice of the peace, this 9th day of June, 1856.

THOMAS J. GOFORTH,
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court, within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the foregoing affidavit, now is and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and sworn, and that full faith and credit is due, and ought to be given, to all his official acts as such, in well as courts of justice as thereout.

In testimony whereof I have hereunto set my hand and affixed the [L. S.] seal of said court at office in the city of Independence, this 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, *Clerk.*

MARCUS J. PARROTT called and sworn.

By Governor King:

I am a resident of the Territory of Kansas. On the 30th of August I was at Kansas city, in Missouri, at the American hotel. Governor

Reeder was then stopping there at that time. We sat up and conversed together about what was to be done there; at the same time I was on my way to another convention to be held at Tecumseh on the 31st day of August; the object of that convention was to meet with persons who were desirous to organize the democratic party in the Territory. While we were together, Governor Reeder spoke about making some arrangements about going up himself to attend the convention at Big Springs. His trunks, at that time, were in the office at the hotel, which comprised, so far as I know, all the personal property he had in the Territory; he wanted to get a valise to take some clothes up into the Territory; he borrowed a valise of Major Eldridge of the hotel, which was brought out in my presence, put into the buggy, and he left before I did. I overtook him, in company with Judge Johnson, at the Shawnee mission. We both started out on the road at night, and we separated at Donaldson, where Governor Reeder tarried all night, but Judge Johnson and myself drove on all night for Tecumseh. I did not see Reeder again until two or three days afterwards at Lawrence, and then had some conversation with him concerning his being a candidate of the Big Spring convention, for delegate to Congress. The impression left upon my mind was, that, unless he became a candidate, he was going to leave the Territory. Afterwards, on the first day of the convention, I think, there was a good deal said about his not being a resident of the Territory. I was myself of that opinion; and, in order to determine exactly about that matter, I agreed with Colonel Lane, and some others, to call him out and ask him the question. I did call him out, and ask him if he was a resident of the Territory. He stated, in reply to that, something about the reason he did not bring his family here, as that was the ground of complaint generally here. He did not answer the question directly at all, but answered it argumentatively, by stating some things in connexion with his position in the Territory. I do not recollect that he satisfied the persons who had been called there to hear his answer to the question. I know that some of them were not satisfied that he was a resident of the Territory. Colonel Lane and myself afterwards spoke of it, and neither of us were satisfied with the answer he gave to the question. Since that time I have never known him to have any visible domicile or residence in the Territory. In the conversation at Lawrence he spoke of a claim that he thought he would buy if his wife liked it, but his wife and family were not and never have been in the Territory, and were understood to be in Pennsylvania.

To Mr. Sherman:

Colonel Lane was spoken of as a candidate. I was in favor of Judge Johnson. I never heard any one speak of Colonel Lane being a candidate but himself. Reeder was nominated without a vote, and by acclamation.

To Governor King:

My objection to Governor Reeder was on account of some resolutions which he had with him at Kansas City, and written by him, and adopted at the Big Spring convention, which provided for the election

of delegate to Congress being held on a different day from that provided by the territorial law, and also to other resolutions written by him, which looked to a repudiation of the laws by force. I objected to this latter part in public in the convention. I saw resolutions, called miscellaneous resolutions, which were in Governor Reeder's handwriting.

MARCUS PARROTT.

LEAVENWORTH CITY, K. T., May 28, 1856.

Mahala Doyle's affidavit.

The undersigned, Mahala Doyle, states upon oath: I am the widow of the late James P. Doyle; that we moved into the Territory, that is, my husband, myself, and children moved into the Territory of Kansas some time in November, A. D. 1855, and settled on Mosquito creek, about one mile from its mouth, and where it empties into Potawatonic creek, in Franklin county; that on Saturday, the 24th day of May, A. D. 1856, about 11 o'clock at night, after we had all retired, my husband, James P. Doyle, myself, and five children, four boys and one girl—the eldest boy is about twenty-two years of age, his name is William; the next was about twenty years of age, his Drury; the next is about sixteen years of age, his name is John; the next is about thirteen years of age, her name is Polly Ann; the next is about ten years of age, his name is James; the next is about eight years of age, his name is Charles; the next is about five years of age, his name is Henry—we were all in bed, when we heard some persons come into the yard and rap at the door and call for Mr. Doyle, my husband. This was about 11 o'clock on Saturday night of the 24th of May last. My husband got up and went to the door. Those outside inquired for Mr. Wilkson, and where he lived. My husband told them that he would tell them. Mr. Doyle, my husband, opened the door, and several came into the house, and said that they were from the army. My husband was a pro-slavery man. They told my husband that he and the boys must surrender, they were their prisoners. These men were armed with pistols and large knives. They first took my husband out of the house, then they took two of my sons—the two oldest ones, William and Drury—out, and then took my husband and these two boys, William and Drury, away. My son John was spared, because I asked them in tears to spare him. In a short time afterwards I heard the report of pistols. I heard two reports, after which I heard moaning, as if a person was dying; then I heard a wild whoop. They had asked before they went away for our horses. We told them that the horses were out on the prairie. My husband and two boys, my sons, did not come back any more. I went out next morning in search of them, and found my husband and William, my son, lying dead in the road near together, about two hundred yards from the house. My other son I did not see any more until the day he was buried. I was so much overcome that I went to the house. They were buried the next day. On the day of the burying I saw the dead body of Drury.

Fear of myself and the remaining children induced me to leave the home where we had been living. We had improved our claim a little. I left all and went to the State of Missouri.

MAHALA ^{her} × DOYLE.
_{mark.}

Witness: THOMAS J. GOFORTH.

STATE OF MISSOURI, }
Jackson county, } ss.

On the 7th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, Mahala Doyle, whose name appears to the above and foregoing statement, and makes oath, according to law, that the above and foregoing statement is true as therein set forth.

Given under my hand and seal the day and year above written.

THOMAS J. GOFORTH, [L. s.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due, and ought to be given, to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof I have hereunto set my hand and affixed the [L. s.] seal of said court at office, in the city of Independence, this 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, Clerk.

Affidavit of John Doyle.

The undersigned, John Doyle, states, upon oath, that he is the son of James P. and Mahala Doyle; that we came to the Territory in November, 1855, and settled on Mosquito creek, about one mile from its mouth, in Franklin county. That, on Saturday night, about 11 o'clock, on the 24th day of May last, a party of men came to our house; we had all retired; they roused us up, and told us that if we would surrender they would not hurt us. They said they were from the army; they were armed with pistols and knives; they took off my father and two of my brothers, William and Drury. We were all alarmed. They made inquiries about Mr. Wilkison, and about our horses. The next morning was Sunday, the 25th of May, 1856. I went in search of my father and two brothers. I found my father and one brother, William, lying dead in the road, about two hundred yards

from the house; I saw my other brother lying dead on the ground, about one hundred and fifty yards from the house, in the grass, near a ravine; his fingers were cut off, and his arms were cut off; his head was cut open; there was a hole in his breast. William's head was cut open, and a hole was in his jaw, as though it was made by a knife, and a hole was also in his side. My father was shot in the forehead and stabbed in the breast. I have talked often with northern men and eastern men in the Territory, and these men talked exactly like eastern men and northern men talk, that is, their language and pronunciation were similar to those eastern and northern men with whom I had talked. An old man commanded the party; he was a dark complected, and his face was slim. We had lighted a candle, and about eight of them entered the house; there were some more outside. The complexion of most of those eight whom I saw in the house were of sandy complexion. My father and brothers were proslavery men, and belonged to the law and order party.

JOHN ^{his} X DOYLE.
_{mark.}

Witness: THOMAS J. GOFORTH.

STATE OF MISSOURI, }
Jackson County, } ss.

On this 7th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, John Doyle, whose name appears to the above statement, and makes oath according to law that the above and foregoing statement is true as therein set forth.

Given under my hand and seal, the day and year above written.

THOMAS J. GOFORTH, [L. S.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearinger, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace, within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due to all his official acts as such, as well in courts of justice as therewith.

In testimony whereof, I have hereunto set my hand and affixed the [L. S.] seal of said court, at office, in the City of Independence, this 13th day of June, 1856.

JOHN R. SWEARINGER, Clerk.

James Harris' Affidavit.

I reside on Pottowatomie creek, near Henry Sherman's, in Kansas Territory. I went there to reside on the last day of March, 1856, and

have resided there ever since. On last Sunday morning, about two o'clock, (the 25th of May last,) whilst my wife and child and myself were in bed in the house where we lived, we were aroused by a company of men who said they belonged to the northern army, and who were each armed with a sabre and two revolvers, two of whom I recognized, namely, a Mr. Brown, whose given name I do not remember, commonly known by the appellation of "old man Brown," and his son, Owen Brown. They came in the house and approached the bed side where we were lying, and ordered us, together with three other men who were in the same house with me, to surrender; that the northern army was upon us, and it would be no use for us to resist. The names of these other three men who were then in my house with me are, William Sherman, John S. Whiteman, the other man I did not know. They were stopping with me that night. They had bought a cow from Henry Sherman, and intended to go home the next morning. When they came up to the bed, some had drawn sabres in their hands, and some revolvers. They then took into their possession two rifles and a Bowie knife, which I had there in the room—there was but one room in my house—and afterwards ransacked the whole establishment in search of ammunition. They then took one of these three men, who were staying in my house, out. (This was the man whose name I did not know.) He came back. They then took me out, and asked me if there were any more men about the place. I told them there were not. They searched the place but found none others but we four. They asked me where Henry Sherman was. Henry Sherman was a brother to William Sherman. I told them that he was out on the plains in search of some cattle which he had lost. They asked if I had ever taken any hand in aiding pro-slavery men in coming to the Territory of Kansas, or had ever taken any hand in the last troubles at Lawrence, and asked me whether I had ever done the free State party any harm or ever intended to do that party any harm; they asked me what made me live at such a place. I then answered that I could get higher wages there than anywhere else. They asked me if there were any bridles or saddles about the premises. I told them there was one saddle, which they took, and they also took possession of Henry Sherman's horse, which I had at my place, and made me saddle him. They then said if I would answer no to all the questions which they had asked me, they would let loose. Old Mr. Brown and his son then went into the house with me. The other three men, Mr. William Sherman, Mr. Whiteman, and the stranger were in the house all this time. After old man Brown and his son went into the house with me, old man Brown asked Mr. Sherman to go out with him, and Mr. Sherman then went out with old Mr. Brown, and another man came into the house in Brown's place. I heard nothing more for about fifteen minutes. Two of the northern army, as they styled themselves, stayed in with us until we heard a cap burst, and then these two men left. That morning about ten o'clock I found William Sherman dead in the creek near my house. I was looking for Mr. Sherman, as he had not come back, I thought he had been murdered. I took Mr. William Sherman out of the creek and examined him. Mr. Whiteman was

with me. Sherman's skull was split open in two places and some of his brains was washed out by the water. A large hole was cut in his breast, and his left hand was cut off except a little piece of skin on one side. We buried him.

JAMES HARRIS.

STATE OF MISSOURI, }
County of Jackson, } *ss.*

This day personally appeared before me, Thomas J. Goforth, an acting justice of the peace in and for Jackson county, State of Missouri, James Harris, who on oath says that the above and foregoing statement is true as therein set forth.

Subscribed and sworn to before me, this the 6th day of June, eighteen hundred and fifty-six. Witness my hand and seal.

THOMAS J. GOFORTH, [L. s.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } *ss.*

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the above affidavit, now is and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and sworn, and that full faith and credit is due to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof, I have hereunto set my hand and affixed the [L. s.] seal of said court, at office in the city of Independence, this 11th day of June, A. D. 1856.

JOHN R. SWEARINGEN, *Clerk.*

Affidavit of Mrs. Louisa Jane Wilkinson.

On the 13th day of June, A. D. 1856, Louisa Jane Wilkinson, on oath, being duly sworn, says: I am the widow of the late Allen Wilkinson. We came to Kansas, from Tennessee, in October, 1854; went to our claim, on Pottowatonic creek, about the 12th day of November following. Said claim, where my husband lived at the time of his death, lies in Franklin county, Kansas Territory, about eight miles from Ossawatimie, and the same distance from the mouth of Pottowatonic creek. On the 25th of May last, somewhere between the hours of midnight and daybreak, cannot say exactly at what hour, after all had retired to bed, we were disturbed by barking of the dog. I was sick with the measles, and woke up Mr. Wilkinson, and asked if he "heard the noise, and what it meant?" He said it was only some one passing about, and soon after was again asleep. It was not long before the dog raged and barked furiously, awakening me once more; pretty soon I heard footsteps as of men approaching; saw one pass by the window, and some one knocked at the door. I asked,

who is that? No one answered. I awoke my husband, who asked, who is that? Some one replied, I want you to tell me the way to Dutch Henry's. He commenced to tell them, and they said to him, "Come out and show us." He wanted to go, but I would not let him; he then told them it was difficult to find his clothes, and could tell them as well without going out of doors. The men out of doors, after that, stepped back, and I thought I could hear them whispering; but they immediately returned, and, as they approached, one of them asked of my husband, "Are you a northern armist?" He said, "I am." I understood the answer to mean that my husband was opposed to the northern or free-soil party. I cannot say that I understood the question. My husband was a pro-slavery man, and was a member of the territorial legislature held at Shawnee Mission.

When my husband said "I am," one of them said, "You are our prisoner. Do you surrender?" He said, "Gentlemen, I do." They said, open the door. Mr. Wilkinson told them to wait till he made a light; and they replied, if you don't open it, we will open it for you. He opened the door against my wishes, and four men came in, and my husband was told to put on his clothes, and they asked him if there were not more men about; they searched for arms, and took a gun and powder flask, all the weapon that was about the house.

I begged them to let Mr. Wilkinson stay with me, saying that I was sick and helpless, and could not stay by myself. My husband also asked them to let him stay with me until he could get some one to wait on me; told them that he would not run off, but would be there the next day, or whenever called for. The old man, who seemed to be in command, looked at me and then around at the children, and replied, "you have neighbors." I said, "so I have, but they are not here, and I cannot go for them." The old man replied, "it matters not." I told him to get ready. My husband wanted to put on his boots and get ready, so as to be protected from the damp and night air, but they wouldn't let him. They then took my husband away. One of them came back and took two saddles: I asked him what they were going to do with him, and he said, "take him a prisoner to the camp." I wanted one of them to stay with me. He said he would, but "they would not let him." After they were gone, I thought I heard my husband's voice, in complaint, but do not know; went to the door, and all was still. Next morning Mr. Wilkinson was found about one hundred and fifty yards from the house, in some dead brush. A lady who saw my husband's body, said that there was a gash in his head and in his side; others said that he was cut in the throat twice.

On the Wednesday following I left for fear of my life. I believe that they would have taken my life to prevent me from testifying against them for killing my husband. I believe that one of Captain Brown's sons was in the party, who murdered my husband; I heard a voice like his. I do not know Captain Brown himself. I have two small children, one about eight and the other about five years old. The body of my husband was laid in a new house; I did not see it. My friends would not let me see him for fear of making me worse. I was very ill. The old man, who seemed to be commander, wore

soiled clothes and a straw hat, pulled down over his face. He spoke quick, is a tall, narrow-faced, elderly man. I would recognize him if I could see him.

My husband was a poor man. I am now on my way to Tennessee to see my father, William Ball, who lives in Haywood county. I am enabled to go by the kindness of friends in this part of Missouri.

Some of the men who took my husband away that night were armed with pistols and knives. I do not recollect whether all I saw were armed. They asked Mr. W. if Mr. McMinn did not live near. My husband was a quiet man, and was not engaged in arresting or disturbing any body. He took no active part in the pro-slavery cause, so as to aggravate the abolitionists; but he was a pro-slavery man. Mr. McMinn, mentioned above, is a pro-slavery man; so, also, is the said Dutch Henry.

LOUISA JANE WILKINSON.

STATE OF MISSOURI, }
County of Jackson, } ss.

On this, the 13th day of June, A. D. 1856, personally came before me, Thomas J. Goforth, a justice of the peace in and for the above State and county, Louisa Jane Wilkinson, who, being duly sworn, says the facts contained in the above statement are true, to the best of her knowledge.

Subscribed and sworn to before me, this the 13th day of June, A. D. 1856.

THOMAS J. GOFORTH, [L. s.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due and ought to be given to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof I have hereunto set my hand and affixed the seal of said court, at office in the city of Independence, this [L. s.] 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, Clerk.

Affidavit of Morton Bourn.

On the eleventh day of June, A. D. 1856, Morton Bourn, under oath, says: I am about sixty-two years of age; went to Kansas early in April, 1855; settled on my claim in Douglas county, on Washington creek, about two miles from the mouth of said creek, in May following. I own slaves, and have a crop of corn and wheat grow-

ing; have never taken any active part with the pro-slavery party—only voted and sustained the law. On Wednesday, the 28th of May, somewhere between the hours of 10 and 12 at night, perhaps earlier, perhaps later, a party of men, about 20 or 30 I think, surrounded my house, and called to me to open the door and raise a light. I asked them what they wanted? they said they wanted to search my house, and if they had to burst open the door, they would kill me. Through the persuasion of my wife I opened the door, though my son and I were armed. I wished to defend my house and property, but my wife persuaded me from shooting. After I opened the door a guard was placed at it, and two or three men entered, one of whom seemed to have command. They first took my guns, of which there were three, and then demanded my money, which they said they needed to carry on this war. They took from me about fifty dollars—it might have been more, and might have been less. They took next five or six saddles and a blanket, and demanded of me the key to my grocery store; from which they took various things, including sugar, coffee, and whiskey—I do not know how much or what exactly. They took nearly every tin and wooden vessel about the place. Also they carried away one horse of mine; on the night before one horse of mine, and one of Mr. Barnet's, of Leocompton, were stolen.

These men said that I must leave in a day or two, or they would kill me, or hinted as much; said I would not fare well, or words to that effect. I left for fear of my life and that of my family. They said that the war was commenced; they were going to fight it out, and drive the pro-slavery people out of the Territory; they used words to that amount. These men that robbed my house and drove me away from my property were abolitionists or free-soilers; that is, I believe them to be so. I have been charged with raising a company to go into Lawrence and drive off free-soilers; that is not true. I believe they treated me so because I was a pro-slavery man, was in favor of the Territorial laws, and because I served on the last grand jury at Leocompton.

MORTON BOURN.

STATE OF MISSOURI, }
Jackson county, } ss.

On this 11th day of June, A. D., 1856, personally came before me, Thomas J. Goforth, a justice of the peace, duly sworn and commissioned to take acknowledgments in and for the above county and State, Morton Bourn, who swears on oath that the facts stated in the above affidavit are true to the best of his knowledge.

THOMAS J. GOFORTH, [L. S.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within

and for the county aforesaid, duly commissioned and qualified, and that full faith and credit is due, and ought to be given, to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at office, in the city of Independence, [L. S.] this 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, Clerk.

Affidavit of John Miller.

The undersigned, John Miller, states upon oath, that I am a resident of the Territory of Kansas, and have been ever since last August, and settled at "Saint Bernard," a town situated on the road commonly known as the "Fort Scott and California road," about thirty miles from Leecompton, in Douglas county. It is called fifty-two miles from Westport, Missouri. I had been a clerk in the store which Mr. Josiah M. Bernard had kept there, for about two years last past, and was still keeping it on the 26th day of May, 1856. I was at Saint Bernard on Tuesday, the 27th day of May, 1856. Mr. James Davis was then Mr. Bernard's clerk, who had charge of the store; Mr. Bernard had gone to Westport, Missouri, or had started for Westport, and was not there at the time. I was in the store with Mr. Davis. Whilst there, a party of thirteen men came to the store on horseback, armed with Sharpe's rifles, revolvers, and bowie-knives. They inquired for Mr. Bernard. I told them he had gone to Westport. One of them said to me, "you are telling a God damn lie," and drew up his gun at me. Some of them came into the store, and the rest remained outside; they called for such goods as they wanted, and made Mr. Davis and myself hand them out, and said if we "didn't hurry" they would shoot us—they had their guns ready. After they had got the goods they wanted—principally blankets and clothing—they packed them upon their horses and went away. Mr. Josiah M. Bernard is a pro-slavery man. I remained in the store with Mr. Davis, and on the next evening, the 28th of May, 1856, a party of 14 men came to the store on horseback, armed with Sharpe's rifles, revolvers, and bowie-knives; thirteen of this party I recognized as the same that came to the store the day before; and the other man I knew—William S. Ewitt is his name—and who I know is a free-State man, and a prominent man in the free-State party. They had a wagon along with them; they came up to the store, dismounted, and came into the store, each having his gun ready. Some carried goods out, some put the goods in the wagon, and others stood ready with their guns to prevent Mr. Davis and myself from interfering. They took away all the goods in the store except about one hundred and fifty dollars worth, and carried them off. They also took away with them Mr. Bernard's two large horses, and three saddles, and two bridles, and took away nearly all the provisions which were there—bacon and flour, and other provisions. They said to us that they intended to take Mr. Henry Hartley and myself prisoners, but before they took me I got off. After they had got all the things

they wanted, they asked Mr. Davis for all the money he had in the store. There were but four dollars in the drawer, which Mr. Davis handed to them, and then they went off. Mr. Joab M. Bernard is a pro-slavery man. When they first came, they looked up at the sign, and said they would like to shoot at the name.

JOHN MILLER.

STATE OF MISSOURI, {
Jackson county, } ss.

On the 9th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, John Miller, whose name appears to the above and foregoing statement, and makes oath that the above and foregoing statement is true, as therein set forth.

Given under my hand and seal, this ninth day of June, A. D. 1856.

THOMAS J. GOFORTH, [L. s.]
Justice of the Peace.

STATE OF MISSOURI, {
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the above affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly elected, commissioned, and qualified; and that full faith and credit is due to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof, I have hereunto set my hand and affixed [L. s.] the seal of said court, at office, in the city of Independence, this 14th day of June, A. D. 1856.

JOHN R. SWEARINGEN, Clerk.

Affidavit of Joab M. Bernard.

The undersigned, Joab M. Bernard, states, on oath, that I am a resident of the Territory of Kansas, and that I have kept a store at Saint Bernard, in the Territory of Kansas, for about two years last past. My store-house is situated at a place called Saint Bernard, about thirty miles south of Leecompton, and about fifty-two miles from Westport, on the road leading from Fort Scott to California, commonly called the "Fort Scott and California road." I left my store about the 26th day of May last. I had a sum of money on hand—about \$2,000. There was a good deal of excitement in the country on account of the political difficulties. Some of my neighbors, free-State men, informed me that my life was in danger, and that I had better keep a sharp look-out or else I might be killed; that they (my neighbors) heard some other men of the free-State party say that they would kill me. In consequence of these things, combined, I left, as I thought I would be robbed and then murdered. Accordingly I left. When I

left there was stock in my store which Mr. Thomas S. Hamilton and I estimated at \$4,000, consisting of dry-goods, groceries, hardware, queensware, provisions, and many other articles usually kept in a country stor—many of them Indian goods, which were costly. I had, when I left, on the premises, two large horses and two ponies. I had also seven yoke of work cattle, and other cattle not broken, and some cows and calves—about twenty-five head in all—and some hogs. I had some ready-made clothing in my store.

JOAB M. BERNARD.

STATE OF MISSOURI, }
Jackson County, } ss.

On the 9th day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, Joab M. Bernard, whose name appears to the above and foregoing statement, and makes oath that the above and foregoing statement is true as therein set forth.

Given under my hand and seal this 9th day of June, A. D. 1856.

THOMAS J. GOFORTH, [L. s.]

Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the foregoing affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified; and that full faith and credit is due and ought to be given to all his official acts as such, as well in courts of justice as thereout.

In testimony thereof, I have hereunto set my hand and affixed the seal of said court, at office, in the city of Independence, this [L. s.] 13th day of June, A. D. 1856.

JOHN R. SWEARINGEN, Clerk.

Affidavit of Thomas S. Hamilton.

The undersigned, Thomas S. Hamilton, states, upon oath, that Joab M. Bernard has been keeping store in the Territory of Kansas for about two years last past. The store-house is situated on the Fort Scott and California road, about thirty miles south of Leecompton. I think it is in Douglas county. I was at Mr. Joab M. Bernard's store-house, above mentioned, on Monday, the 26th day of May last, for the purpose of taking an invoice of the stock on hand. I was going in partnership with him, the said Bernard. We examined the stock pretty thoroughly, but, instead of taking regularly an invoice or inventory, we agreed upon an estimate—that estimate agreed upon was, at first cost, four thousand dollars, including all the stock. I had agreed to pay the said Bernard two thousand dollars for half, and

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then we were to do business in partnership, and divide the profits equally between us. The stock consisted in dry goods—such as cloths, blankets, calico prints, lawns, Irish linens, muslin, and ready-made clothing, and other domestic dry goods: Groceries—coffee, sugar, tea, and other articles. Provisions—flour, bacon, lard, and other articles. Hardware—queensware, tinware, and numerous other articles. Besides the stock in the store, Mr. Bernard had there on the premises two very fine horses, for which I offered him two hundred and seventy-five dollars. He had, also, two ponies which were worth fifty or sixty dollars apiece and seven yoke of work cattle, and some others which were not broken, and some cows and calves. There was money in the drawer, but how much I do not know.

THOS. S. HAMILTON.

STATE OF MISSOURI, }
Jackson county, } ss.

On the ninth day of June, A. D. 1856, personally appeared before me, the subscriber, a justice of the peace in and for the county and State aforesaid, Thomas S. Hamilton, whose name appears to the above and foregoing statement, and makes oath that the above and foregoing statement is true as therein set forth.

Given under my hand and seal this ninth day of June, A. D. 1856.
THOMAS J. GOFORTH, [i. s.]
Justice of the Peace.

STATE OF MISSOURI, }
County of Jackson, } ss.

I, John R. Swearingen, clerk of the county court, within and for the county aforesaid, do hereby certify that Thomas J. Goforth, esq., whose genuine signature appears to the above affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly commissioned and qualified; and that full faith and credit is due and ought to be given to all his official acts as such, as well in courts of justice as thereon.

In testimony whereof, I have herenunto set my hand and affixed [L. s.] the seal of said court, at office, in the city of Independence, this 14th day of June, A. D. 1856.

JOHN R. SWEARINGEN,
Clerk.

Affidavit of George T. Williams.

I, the undersigned, G. T. Williams, resident of Douglas county, K. T., do solemnly state, that I moved from the State of Missouri into the above county and Territory on the 14th day of April, 1856. About five days ago—say the 6th inst.—I was informed by Silas M. Moore that two companies of free-State men intended attacking myself and the two Messrs. Keizer, Dr. Chapman, and Mr. R. Young, that night, and hanging us. Our informant appeared to be, and pre-

tested friendship for us, and wished some one to attend him to see the company, and induce them not to consummate their designs. Dr. Chapman accompanied him, and begged the men to spare his friends and families, as they had always desired peace with the free-State party, and also stated he would inform some United States troops near by of their designs, if they refused to desist. They did not come that night, and, feeling uneasy, we concluded next morning to leave; and the ensuing night they came and broke open and plundered Dr. Chapman's, Mr. Keizer's and my own house, threw their pistols at the children's heads, and made them get axes to break upon the doors. They took two rifles of mine, my wife's saddle rigging, and cursed and abused her because she would not tell where the horses were. They also took some clothing from Mr. Keizer's house; also one rifle and some blankets of Dr. Chapman. On the following morning I returned home to look after my family, and found they had left for a neighbor's house (Mr. Polac) to save their lives. I then went around to get in with the United States troops, who I understood were going to Prairie City, but did not see the troops until after they had disbanded this abolition company; and then returned to my house and found my family there. On my return I also found a Mr. Thompson, to whom I had loaned my horse, bridle, and saddle, the Sunday before. He stated the free-State men had taken him prisoner, and detained him four days, and, upon being released by the troops, he was told by Capt. Brown, the free-State commander, that he would be killed, and would give no satisfaction about the horse. Hoping that the presence of the United States troops would intimidate them, and restore peace, we remained at our homes till the following Saturday in the afternoon, when a Mr. Young came to my house, after being pursued the night before by six men on horses. We then, deeming it unsafe to remain, was invited by Capt. Wood, United States officer, to bring our families to his camp. We accepted; and upon our way to the camp, Mr. Thompson, who was with us, and a short distance ahead, was suddenly seized and carried into the brush by two of the abolitionists' company, on horseback, and has never since been heard of. We proceeded on to Capt. Wood's camp, and informed him of the taking of Thompson, who replied he had not men enough to send and hunt for Thompson, and also to guard us and the prisoners, some seven or eight, in his charge. We next morning started for Missouri in company with the United States troops and two teamsters, who were going to Osawatimie, and travelled some six miles with them.

GEORGE T. WILLIAMS.

Subscribed and sworn to before me, Thomas J. Goforth, an acting justice of the peace in and for the county of Jackson, and State of Missouri, this eleventh day of June, eighteen hundred and fifty-six.

THOMAS J. GOFORTH, [L. S.]
Justice of the Peace.

STATE OF MISSOURI, }
Jackson county. } ss:

I, John R. Swearingen, clerk of the county court within and for the county aforesaid, do hereby certify that Thomas J. Goforth, whose genuine signature appears to the above affidavit, now is, and was at the time of so doing, an acting justice of the peace within and for the county aforesaid, duly elected, commissioned, and qualified; and that full faith and credit is due, and ought to be given, to all his official acts as such, as well in courts of justice as thereout.

In testimony whereof, I have herewith set my hand and affixed the seal of said court, at office, in the city of Independence, [L. s.] this thirteenth day of June, A. D. eighteen hundred and fifty-six.

JOHN R. SWEARINGEN, *Clerk*.





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